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Agrahayana 11, 1988 (Saka)

LOK SABHA DEBATES

Sixteenth Session

सत्यमेव जयते

LOK SABHA SECRETARIAT
New Delhi

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LOK SABHA

Friday, December 2, 1966/Agrahayana 11, 1888 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Manufacture of Scooters and Auto-Cycles

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*631. **Shri Vasudevan Nair:**
Shri Warior:
Shri D. C. Sharma:
Shri Rajdeo Singh:
Shri Balkrishna Singh:

Will the Minister of **Industry** be pleased to refer to the reply given to Starred Question No. 691 on the 26th August, 1966 and state:

(a) whether the applications for the manufacture of scooters and auto-cycles which were found suitable in the preliminary screening have since been finally considered;

(b) if so, the decision taken thereon;

(c) the names of the manufacturers to whom licences are proposed to be granted; and

(d) the target fixed for the manufacture of scooters and auto-cycles during the Fourth Plan period?

The Minister of State in the Ministry of Industry (Shri Bibudhendra Misra): (a) No, Sir.

(b) and (c). Do not arise.

(d) The Fourth Plan targets for scooters and autocycles have not yet been finalised. The draft Outline of the Fourth Five Year Plan provides for a capacity target of 150,000 Nos. and a production target of 120,000 Nos. per annum by the year 1970-71 for the group of vehicle comprising Motorcycles, Scooters, and Mopeds. No targets have been mentioned in respect of autocycles.

Shri Vasudevan Nair: I should like to know when the applications were invited and when out of the total applications proper selection was made. What is the reason for this undue delay in coming to a final decision about the licences to be given? Is it because even our Fourth Five Year plan is hanging in the balance?

Shri Bibudhendra Misra: Appilcations were invited by May, 1965 In all, 192 were received. First, these were sent to the Screening Committee to be examined by certain officers of the Ministry. They have recommended about 17 applications. These have to be placed before the Licensing Committee. Te target for the Fourth Plan has not been finally fixed. Everything is ready. So far as the auto-cycles are concerned, the licensing will be done in a month or two.

Shri Vasudevan Nair: When we consider the question of manufacture of scooters and autocycles, I should like to know whether there is any proposal for foreign collaboration in any of the projects that are there?

Shri Bibudhendra Misra: In most of the projects, there is a proposal for foreign collaboration.

Shri Rajdeo Singh: Are any applications from Eastern UP districts on the list before the Licensing Committee?

Shri Bibudhendra Misra: Yes. there are applications.

श्री म० ला० द्विवेदी : जो स्कूटर्स ग्रौर ग्राटो साइकल ग्रभी बन रहे हैं, उनके सम्बन्ध में सरकार ने यह निर्धारित किया था कि उनके इम्पोर्ट लाइसेन्स धीरे धीरे कम कर दिये जायेंगे, ताकि वे स्वयं ग्रात्म निर्भर हो जायं । मैं जानना चाहता हूं कि वेस्पा, लम्ब्रेटा, विकी ग्रादि कौन से ऐसे हैं जो स्वावलम्बी बन गये हैं तथा ग्रब भी कितनों को कितने प्रतिशत इम्पोर्ट लाइसेन्स दिये जा रहे हैं ?

Shri Bibudhendra Misra: So far as scooters are concerned. they have reached an indigenous content of more than 91 per cent.

Shri M. L. Dwivedi: About Lambretta and Vespa?

Shri Bibudhendra Misra: Scooters in general.

Shri M. L. Dwivedi: What about the others? There are some which are self-sufficient in this respect. They are not importing anything.

Mr. Speaker: There is none that is self-sufficient.

Dr. L. M. Singhvi: Have Government taken into consideration the extermely unconsionable gap in the point of time betwen the application for scooters and autocycles and allotment of the same? If so, may I know what is the gap in point of time now for an ordinary applicant, not a priority applicant, and whether Gօernmena are thinking of planning the manufacture of these in consideration of the rising demand for these vehicles by the common man?

Shri Ranga: There will be greater delay if they take it up.

Shri Bibudhendra Misra: So far as the gap of time is concerned, it will very from place to place depending on the number of pending applications.

Dr. L. M. Singhvi: What is the largest gap of time, and where?

Shri Bibudhendra Misra: So far as the Central Government quota is concerned, the gap is about 3 years.

Dr. L. M. Singhvi: My question is for an ordinary applicant. The Central Government quota is a very privileged category, most people cannot avail themselves of it.

Shri Ranga: The Government of India is only in Delhi and not in other places.

Mr. Speaker: Mr. Borooah.

Dr. L. M. Singhvi: The answer should come.

Shri P. C. Borooah: In order to provide an element of competition to regulate quality and prices of the scooters and autocycles and also to break the monopoly held by a few industrialists, may I know whether Government have in contemplation introducing the public sector into this field by Hindustan Machine Tools; if so, what is the decision thereon?

Shri Bibudhendra Misra: There is no proposal of any public sector undertaking.

Shrimati Savitri Nigam: In view of the fact that there is such a great shortage that even the old scooters are being sold at black market prices, I would like to know from the hon. Minister how long it will take to take a final decision to license the capacity which may meet the requirements within the fourth plan to the extent that everybody gets a scooter or autocycle as soon as he applies.

Shri Bibudhendra Misra: So far as the autocycles are concerned, it is likely that a decision will be taken very soon, in a month or two.

Shri Jashvant Mehta: May I know whether the attention of the Government has been drawn to the report in the *Economic Times* of 1st December that no more units for scooter manufacture will be licensed? Is it a fact that the Development Council has taken such a decision? How many applications have Government received? Is it also a fact that due to the present difficulties of foreign exchange position no decision has been taken? Is there any application in which no foreign exchange is invloved, or, if involved, is it to be met by the foreigner on a collaborator?

Shri Bibudendra Misra: No decision has been taken that there will be no unit. After the target has been fixed, it will be decided whether it can be done by the existing units or new units should come into operation. So far as the proposals before the Government are concerned, many of the applications have said that the indigenous content will be about 90 to 95 per cent.

Shri Jashvant Mehta: My question was whether there is any application which involves no foreign exchange.

Shri Bibudhendra Misra: No.

Shri Fatehsinhrao Gaekwad: All sorts of quotas are fixed, the Central Government quota, the State Government quota and so on. I want to know from the Minister the percentage of production available to the normal consumer.

Shri Bibudhendra Misra: The Central Government quota is only 1,060 out of the total production, and the State Government quota is much less, and the rest goes to the normal consumer.

Manufacture of Tractors and other Agricultural Implements

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***632. Shri H. C. Linga Reddy:**
Shri P. R. Chakraverti:
Shrimati Savitri Nigam:
Shri Vishwa Nath Pandey:
Shri Daljit Singh:
Shri P. H. Bheel:

Will the Minister of Industry be pleased to state:

(a) the facilities made available to manufacture tractors and other improved agricultural implements in the country to avoid import of the same from foreign countries;

(b) the number of tractor and power tiller manufacturing units so far licensed; and

(c) whether any survey has been made as to the number of tractors required in the country and how the demand is likely to be met?

The Minister of State in the Ministry of Industry (Shri Bibudhendra Misra): (a) to (c): A statement is laid on the Table of the House.

STATEMENT

(a) and (b). Five firms in the private sector are already licensed for the manufacture of agricultural tractors. Two firms have also been granted licences for the manufacutre of power tillers. Six more firms have been granted letters of intent for the manufacture of power tillers. Power driven agricutural implements are being manufactured in the country by a number of firms in the large, medium and small-scale sectors.

The Agricultural Tractor Industry has now been included in the list of priority industries and it is being assisted with foreign exchange to the full extent of the installed capacity. With this assistance, the production of agricultural tractors during 1967-68 is expected to increase substantially.

(c) The demand of agricultural tractors by 1970-71 has been assessed as 40,000 Nos. per annum. The combined capacity of the five units in the private sector licensed for the manufacture of agricultural tractors is 30,000 Nos. per annum. To fill the gap between the demand and the capacity already licensed, it is proposed to set up a public sector pro-

ject for the manufacture of 12,000 Nos. agricultural tractors per annum with matching implements coming the Fourth Five Year Plan.

Shri H. C. Linga Reddy: It is mentioned in the statement that five firms in the private sector have been licensed already for the manufacture of agricultural tractors and two firms for manufacturing power tillers. May I know the names of those firms, when they were licensed and the state the at which the manufacture of these implements is, and the number of tractors and power tillers that have been already manufactured by them?

Shri Bibudhendra Misra: Five parties have been licensed for tractors: Massey-Ferguson, International Harvester, Hindustan, Escort and Eicher.

Shri H. C. Linga Reddy: At what stage is the manufacture of these implements, and what is the number of tractors and power tillers manufactured by them already?

Shri Bibudhendra Misra: The number of tractors manufactured in the country in 1965-66 was 5, 714, and this year it is expected that 10,000 will be produced. So far as power tillers are concerned, the manufacture is very small negligible.

Shri H. C. Linga Reddy: The statement says that a public sector project for the manufacture of 12,000 tractors is under the consideration of the Government. May I know how long this proposal of the public sector project has been under the consideration of the Government, and whether it will be in a position to manufacture cheap tractors, when it will go into production, and the estimated cost?

Shri Bibudhendra Misra: The project report from the Czechs will be received by the end of December, 1966.

Shrimati Savitri Nigam: In view of the fact that there was a great demand for the tractors I would like to know from the hon. Minister whether the policy, is to import engines with which these tractors are going to be made in such large quantities so that production in these licensed factories may not be hampered. Has any attempt been made to reduce the price so that it may come within the purchasing power of the farmer?

Shri Bibudhendra Misra: The Minister of Food and Agriculture is seized of the problem and they are thinking of importing some tractors and some components also.... (*Interruptions.*)

Mr. Speaker: She also wants to know that is contemplated to bring the prices down so as to be within the reach of the consumers.

Shri Bibudhendra Misra: The prices are higher because production is low. As it is now one of the priority industries, foreign exchange has now been released and so when production goes up, we hope prices will come down.

श्री विश्वनाथ पाण्डेय : श्रीमन्, मन्त्री महोदय ने जो विवरण रक्खा है उसमें लिखा है :

"To fill the gap between the demand the capacity already licensed, it is proposed to set up a public sector project."

मैं जानना चाहता हूं कि सरकार यह ट्रैक्टर्स की कमी की पूर्ति करने के लिए सार्वजनिक क्षेत्र में कारखाना स्थापित करने की जो योजना बना रही है और उस पर जो विचार कर रही है वह किस स्थान पर लगायेगी ? उसके लिए उसने कोई स्थान निश्चित कर लिया है, यदि हां, तो कृपा करके उसके बारे में बतलाइये ?

Shri Bibudhendra Misra: The public sector project will be located at Ramnagar near Banaras.

श्री बलजीत सिंह: जैसा कि अभी कहा गया कि ट्रैक्टरों की जो क़ीमत है वह कम कर

दी जाय ताकि सभी काश्तकार उन्हें ले सकें लेकिन इसके बावजूद जो ट्रैक्टर्स बाहर से हम मंगवाते हैं या यहां बनते हैं वह ब्लैक में फरोख्त होते हैं तो मैं जानना चाहता हूं कि क्या सरकार ने इसकी कुछ तफतीश की है कि वह ब्लैक में क्यों बिकते हैं और जो उनकी प्राइस फिक्सड है उस पर वह क्यों नहीं मिलते हैं ?

Shri Bibudhendra Misra: We have no knowledge of the black-marketing in tractors. If it is brought to our notice or to the notice of the Food and Agriculture Ministry, it will be looked into.

Shri P. R. Chakraverty: Could the Government indicate the imported content of the tractors which are manufactured in India?

Shri Bibudhendra Misra: The imported content varies from 20 to 40 per cent.

श्री बड़े : मंत्री महोदय ने अपने स्टेटमेंट में कहा है :

> "The demand of agricultural tractors by 1970-71 has been assessed as 40,000 Nos. per annum."

लेकिन अभी हमारे देश के किसानों के पास जो स्माल होल्डिंग्ज आफ लैंड हैं और उन की स्मोल ट्रैक्टर्स की जो डिमाण्ड है जो कि कम से कम 25,000 स्मोल ट्रैक्टर्स जिनको कि बेबी ट्रैक्टर्स कहते हैं उन की डिमाण्ड होगी तो मैं जानना चाहता हूं कि शासन ने इन बेबी ट्रैक्टर्स के वास्ते क्या निर्णय किया है ?

Shri Bibudhendra Misra: It is an estimate which has been prepared by the Food and Agriculture Ministry and by the Planning Commission. We will go according to that.

Shri Bade: That is for 1970-71 What is today's demand?

Shri D. Sanjivayya: By 1970-71 it may be 40,000 tractors per year. Meanwhile the private sector licenses have been issued to five parties to produce 30,000 tractors. Government is going to take up a public sector undertaking in Ramnagar near Varanasi which will produce 12,000. These will be of lesser a horse power, below 20. They will be useful for small landholders whom the hon. Member has in mind.

श्री विभूति मिश्र : हिन्दुस्तान में करीब 32 करोड़ एकड़ भूमि में खेती होती है जिस में से कोई 20—22 करोड़ एकड़ भूमि में धान की खेती होती है । अभी तक जो भी ट्रैक्टर्स सरकार ने या विदेशी लोगों ने बनाये हैं वह ट्रैक्टर्स सूखे खेतों के लिए बने हैं तो मैं जानना चाहता हूं कि क्या सरकार ने कोई ऐसे भी ट्रैक्टर्स बनाये हैं जो कि धान के खेतों में काम आ सकें क्योंकि धान के हमारे खेतों में पानी होता है और वहां यह सूखे खेतों वाले ट्रैक्टर्स काम नहीं देते ।

Shri Bibudhendra Misra: These tractors which are to be made in collaboration with the Czechs have been tested in their institute. It is said by the Food and Agriculture Ministry that they are suitable for Indian conditions.

श्री विभूति मिश्र : अध्यक्ष महोदय, मेरे प्रश्न का जवाब नहीं आया . . .

Mr. Speaker: It is suitable for Indian conditions, but he wants to know whether it is suitable for paddy cultivation.

Shri Bibudhendra Misra: Yes, Sir; that is what they have said.

Shri Dinen Bhattacharya: May I know whether it is a fact that the existing factories that are producing the contractors are producing tractors above 20 horse power which are not suitable for our coutry and it is found that a large number of tractors are lying idle in those tractor factories because the tractors that are imported are of a lighter weight and are much cheaper than the tractors that are produced here; whether this fact has been brought to the notice of Government and, if so, what is their reaction?

Shri Bibudhendra Misra: I have replied to that already.

Mr. Speaker: Yes! he said that they are going to put up a factory where they will produce the lighter ones.

श्री यशपाल सिंह : सरकार ने पिछली दफ़े बतलाया था कि अभी तक 60,000 ट्रैक्टर्स हमारे देश में हैं जिनमें से कोई 25,000 आउटआफ आर्डर पड़े रहते हैं, रिपेयर के लिये पड़े हैं तो क्या सरकार यह बतला सकती है कि यह थोड़े से ट्रैक्टर्स इस 32 करोड़ एकड़ भूमि में खेती कर सकते हैं ? बैल कटते कटते 2 करोड़ के रह गये, इतने कटे हैं कि 2 करोड़ हल रह गये हैं तो यह 2 करोड़ हल जैसा कि श्री विभूति मिश्र ने बतलाया इस 32 करोड़ एकड़ भूमि की परिक्रमा तक नहीं कर सकते। खेती करना तो दरकिनार रहा तो मैं जानना चाहता हूं कि क्या सरकार आज यह बतला सकती है कि कितने लोग ऐसे हैं जिनसे कि 4, 4 हजार रुपया पहले से ले लिया है और उसे लिये साल साल भर हो गया है लेकिन आज तक उनको ट्रैक्टर नहीं मिले हैं ?

Mr. Speaker: He wants to impart this information. Shri Basappa.

Shri Basappa: May I know whether the Planning Commission some time back appointed a team of experts headed by Shri Ajit Prasad Jain regarding the agricultural implements and, if so, whether the recommendations have been submitted by him and what action has been taken by the Government to implement those recommendations?

Shri Bibudhendra Misra: That is a question for the Ministry of Food and Agriculture to answer. We have no knowledge of it.

Shri Basappa: It is about the agricultural implements.

Mr. Speaker: He has not got the reply ready now.

Shri Shivaji Rao S. Desmukh: May I know whether it has ever occurred to the Government that the only type of small machinery that will be suitable for Indian cultivation, particularly for paddy cultivation in wet type of lands is the Japanese type of machinery and that the heavy type of machinery which would be required for the drier type of lands or dry cultivation at a cheaper cost could only be manufactured with the collaboration of rupee payment countries in the public sector? So, instead of splitting up the 30,000 licences among five hard currency areas, what prevents the Governmeit from establishing a large single public sector factory with a capacity to manufacture 50,000 tractors in the public sector on rupee poyment callaboration?

The Minister of Industry (Shri D. Sanjivayya): After all, 40,000 tractors are required as estimated by the Planning Commission, and it is not as though we have given fresh licences to anybody in the private sector. These five manufacturers are already their in the field and they have been asked to expand. They are producing higher horse power tractors and when we wanted the smaller tractors with Czech collaboration, the Czech Government is giving us some credit. Therefore we have taken up this project.

श्री रामसेवक यादव : अध्यक्ष महोदय, यह जो रामनगर में फैक्टरी चल खुल रही है मैं जानना चाहता हूं कि यह कब तक खुल जायगी कब तक उसमें काम शुरू हो जायेगा और जो ट्रैक्टर्स यहां पर बनेंगे उनकी क्या क़ीमत होगी और उसी तरीक़े के ट्रैक्टर्स की विदेशों में क्या क़ीमत होगी, उनमें कितना फर्क है और उस फर्क को घटाने के लिए कोई प्रयास होगा ?

Shri D. Sanjivayya: My colleague has already answered that detailed project reports will be made available towards the end of this year. It is only after that we will be able to say when exactly the factories will go into production, what will be the price structure and other details.

Shrimati Ramdulari Sinha: May I know whether rig machinery is also imported from outside countries and whether there is any proposal to manufacture rig machinery locally in view of the great demand for it due to the drought conditions prevailing in various parts of the country?

Shri D. Sanjivayya: It has nothing to do with this question.

Mr. Speaker: Yes. Mr. Siddhanti.

श्री जगदेव सिंह सिद्धान्ती : क्या सरकार को यह पता है कि बहुत से एक्स सोल्जर्स ने ट्रैक्टर लेने के लिये बरसों पहले दरख्वास्तें दी हुई हैं, विशेषकर हरियाणा राज्य के बहुत से फौजी जवानों ने, जो कि रिटायर हो चुके है, दरख्वास्तें दी हैं। लेकिन उनको अब तक ट्रैक्टर नहीं मिला है। क्या सरकार फौजी जवानों को ट्रैक्टर देने में प्राथमिकता देगी।

Shri D. Sanjivayya: We are only concerned with the manufacture of tractors. With regard to the allotment to various people like ex-servicemen, etc., that is the function of the Food and Agriculture Ministry in collaboration with State Governments.

Shri Vimla Deshmukh: Some demonstration in rice cultivation was held in Kashmir with the help of Japanese experts and they were using some special implements in the demonstration. Will the Government examine whether those implements will be useful to the small Indian farmers and if so, will Government try to manufacture those implements here and supply them to the farmers?

Shri D. Sanjivayya: There seems to be some misunderstanding with regard to small tractors. Probably hon. members means by that our tillers which are being produced in collaboration with Japan, one unit of which has already gone into production.

Mr. Speaker: Next question.

Sale of adulterated articles by Khadi Gramodyog Bhavan, New Delhi

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***633. Shri Madhu Limaye:**
Shri Kishen Pattnayak:
Dr. Ram Manohar Lohia:

Will the Minister of Commerce be pleased to refer to the reply given to Starred Question No. 539 on the 19th August, 1966 and state:

(a) whether the Manager of the Khadi Gramodyog Bhavan, New Delhi, who was implicated in a charge of selling adulterated honey has since been dismissed|suspended|transferred|demoted|or punished in any other way; and

(b) whether it is a fact that these Bhandars sell adulterated articles. under quality goods, use old measures and weights and mislead the public by selling 25 match-sticks with a band-roll of 50 pasted to the match-box and also indulge in similar other activities?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). A statement is laid on the Table of the House.

STATEMENT

(a) As stated in answer to Unstarred Question No. 2260 on the 12th August, 1966, the prosecution of the Khadi Gramodyog Bhavan, New Delhi launched by the New Delhi Municipal Committee under the Prevention of Food Adulteration Act is pending in a Court of Law. The question of punishment to be awarded to the Manager of the Bhavan or any other persons found responsible for any breach can appropriately be considered only in the light of the Court's judgement after it has been pronounced.

(b) No case of sale of adulterated articles or under quality goods in any Bhandar run by the Khadi and Village Industries Commission has come to notice except the allegation of sale of sub-standard honey in the Khadi

Gramodyog Bhavan, New Delhi which is pending before a Court of Law.

The Khadi and Village Industries Commission has categorically issued instructions to all Bhandars that old weights and measures should no longer be used for any purpose.

As clarified in the statements made by me in this House on the 23rd August, 1966 and the 3rd September, 1966, the sale of these match boxes with the excise bandroll showing '50 matches' has been totally stopped. The Commission is having under consideration proposals for using other types of excise bandrolls as may be permitted by the Central Board of Excise and Customs.

श्री मधु लिमये: माननीय मन्त्री ने अभी जो बयानें सदन के पटल पर रक्खा है उस में उन्होंने भाग (क) के उत्तर में निम्न प्रकार से कहा है :

> "The question of punishment to be awarded to the Manager of the Bhavan or any other persons found responsible for any breach can appropriately be considered only in the light of the Court's judgment after it has been pronounced."

जब कभी इस किस्म के आरोप लगाये जाते हैं तो हमेशा सरकारी महकमों की यह प्रथा है कि पहले विभागीय तौर पर, सरकारी तौर पर कुछ न कुछ कार्रवाई की जाती है, उसको निलम्बित किया जाता है या छुट्टी पर भेज दिया जाता है। कभी कभी ऐसा भी होता है कि आदमी अदालत से बरी होता है लेकिन फिर भी सरकारी तौर पर उसके खिलाफ कार्रवाई होती है। इस सदन के सामने मन्त्री महोदय ने वादा किया था कि सजा के तौर पर कम से कम उस मैनेजर को छुट्टी पर भेजा जायेगा। अब मुझे पता चला है कि खादी कमीशन के चेअरमैन ढेबर भाई के हस्तक्षेप के ऊपर उनको छुटी पर भी नहीं भेजा गया सभा के तौर पर मैं माननीय मन्त्री महोदय से जानना चाहता हूं कि सदन के सामने जब वह आश्वासन देते हैं तो उसकी पूर्ति क्यों नहीं करते हैं। इसमें क्या दिक्कतें हैं।

श्री मनुभाई शाह : पहली बात तो कि यह गलत ही कैसे किसी निर्दोष आदमी को मैं यहां दोषी ठहरा दूं जब तक कि उस का केस कोर्ट में पड़ा है। मैंने जो कहा था वह यह कि चूकि तहकीकात करनी है इस लिये उस की गैरहाजिरी से फायदा होगा। इस लिये उसे एक महीने की छुट्टी पर भेज दिया गया था। महीने के अन्दर जो तहकीकात डिपार्टमेंन्ट को करनी थी वह हो गई और कमिशन से रिपोर्ट हमारे सामने आ गई। अब सारा मामला कोर्ट के सामने है। कोर्ट उस को दोषी ठहरायेगी या नहीं इस को मैं ऐन्टीसिपेट नहीं कर सकता हूं। यह ठीक है कि अगर कोर्ट कोई फैसला दे जिस में उस पर दोष लगाया जाये तब डिपार्टमैन्टल ऐक्सन लेने का मौका आयेगा। लेकिन जब तक कोर्ट का जजमैंट नहीं आता तब तक कुछ नहीं कर सकते।

श्री मधु लिमये : मेरा प्वाइंट आफ आर्डर है। मेरे प्रश्न का जवाब नहीं आया। मंत्री महोदय ने कहा कि उन की गैरहाजिरी जांच के लिये अच्छी होगी। लेकिन अदालत के सामने मैनेजर साहब ने यह बयान दिया है कि :—

> "It is wrong to say that I have been asked to go on compulsory leave."

अध्यक्ष महोदय, मंत्री महोदय, के जवाब में मैनेजर के बारे में सफाई आनी चाहिये।

अध्यक्ष महोदय : मैनेजर के बारे में जो बयान उस ने वहां दिया है उस को हम यहां नहीं ले सकते।

श्री मधु लिमये : डिपार्टमेंन्ट ऐक्सन उस के ऊपर लिया जा सकता है । आप छोटे कर्मचारियों पर ऐक्सन लेते हैं ।

अध्यक्ष महोदय : आप इन्फार्मेशन मांग सकते हैं । उन्होने कहा कि जब तहकीकात करनी थी तब एक महीने के लिये उन्होने उस को छुट्टी पर भेजा । तहकीकात हो गई और अब वह अदालत के सामने हैं ।

श्री मधु लिमये : यह गलत बोल रहे हैं । उस छुट्टी पर नहीं भेजा ।

अध्यक्ष महोदय : इस की दुरुस्ती के के लिये अलाहृदा तरीका है ।

श्री मधु लिमये : अब कहां समय है । यह गलतबयानी करते जाये, और हम कुछ कर नहीं सकते । यह टाल मटोल की नीति है । हमारी लोक सभा का मजाक बन रहा है ।

अब मेरा दूसरा प्रश्न है । मेरे एक अतारांकित प्रश्न के उत्तर में भागलपुर एम्पोरियम के बारे में जिस में मैं ने यह जानकारी चाही थी कि क्या पुराने बांट, माप और वजन के इस्तेमाल को ले कर कोई तलाशी हुई थी, मंत्री महोदय ने पिछले सत्र में जवाब दिया था कि वहां यह माप, बांट और वजन इस लिये रक्खे जाते थे कि जो अनाड़ी ग्राहक हैं, "अनसोफिस्टिकेटेड कस्टमर्स" उन को उस के बारे में पढ़ाया जाये । यह बिलकुल बेमतलब और वाहियात जवाब था ।

अध्यक्ष महोदय : आर्डर आर्डर । आप सवाल क्या पूछना चाहते हैं ।

श्री मधु लिमये : मैं पूछना चाहता हूं कि इस तरह का जवाब कैसे आता है ।

अध्यक्ष महोदय : यह वक्त कमेण्टस के लिये नहीं है ।

श्री मधु लिमये : अगर किसी दूकानदार के पास यह मिलते तो उसको सजा हो जाती मैं जानना चाहता हूं कि . . .

अध्यक्ष महोदय : आप आर्गूमेंट्स कर रहे हैं कमेन्ट्स दे रहे हैं और इन्फरेंस निकाल रहे हैं ।

श्री मधु लिमये : मैं सवाल पूछ रहा हूं ।

अध्यक्ष महोदय : आप सवाल नहीं पूछ रहे हैं ।

श्री मधु लिमये : उन्होंने कहा कि हमने इन्स्ट्रक्शन्स इश्यू कर दिये हैं कि पुराने मापों का इस्तेमाल न हो । मेरा सवाल यह है कि इस तरह के बांटों, वजनों और मापों को इस्तेमाल करने वाले भागलपुर एम्पोरियम के मैनेजर को उन्होंने कौनसी सजा या दण्ड दिया है वह केवल इन्स्ट्रक्शन्स दे रहे हैं ।

Mr. Speaker: That does not arise here. This is about Delhi.

श्री मधु लिमये : माफ कीजिये । यही तो होता है । पता नहीं आप मेरे साथ क्यों एसा व्यवहार करते हैं । पूरा प्रश्न आप देख लीजिये "क्या यह सच है कि यह भंडार मिलावटी चीजें, घटिया किस्म की चीजें बेचता है और पुराने बांट तथा माप इस्तेमाल करता है ।" इसके जवाब में वह कहते हैं कि विलेज इंडस्ट्रीज . . .

अध्यक्ष महोदय : आप सवाल कीजिये ।

श्री मधु लिमये : पहले तो आप ने मुझे बिठला दिया । अब आप पढ़ने नहीं देते । उनका एक ही वाक्य है :

"Khadi and Village Industries Commission has categorical'y issued instructions to all bhandars that old weights and measures should no longer be used for any purpose."

लेकिन जिन्होंने इस्तेमाल किया है उनको क्या दण्ड दिया गया है । यह बिलकुल जायज प्रश्न है ।

Shri Manubhai Sahah: The whole point is, regarding the new metric system we have been giving time to all the people and we have been saying that in order to familiarise the customers with new types of weights and measures they should be given a phased programme of introduction. That was being done. The hon. Member at that time raised the question that old weights should not be kept because it would confuse the customers. Therefore, the Khadi and Village Industries Commission issued instructions that those old weights kept as samples should be enforced. That is the circular I have mentioned.

श्री मधु लिमये : यह क्या जवाब है।

अध्यक्ष महोदय : मुझे दरख्वास्त करनी है मेम्बर साहब से और मिनिस्टर साहब से कि दोनों साहबान ने मेरे देखने के लिये मैच बाक्स भेजी थी। वह यहां पड़ी हुई है वह अपनी अपनी मैच बाक्स आ कर ले लें।

श्री मधु लिमये : यह आप उनको ही दे दें। (**व्यवधान**) उनके देखने का मामला है। भले ही हमने उस पर पैसा खर्च किया हो।

अध्यक्ष महोदय : जो आपने दिया वह आप खुद ले लें और जो उन्होंने दिया वह खुद उस को ले लें।

श्री किशन पटनायक : वह पचास मैच बाक्स के लेबल की डब्बी में 25 दियासलाई रख कर बेचते हैं। उस के बारे में यह जवाब दिया जाता है कि :

> "The sale of these match boxes with the excise banderol showing '50 matches' has been totally stopped."

यानी यह काम होता था और सब लोग ले गये। मैं जानना चाहता हूं कि जिन लोगों ने यह काम किया है उनके खिलाफ क्या कारंवाई की गई है।

श्री मनुभाई शाह : कोई गैर कानूनी कारंवाई नहीं हुई है। सारे देश में 50 मैचेज के जनरल बैंड लेबेल के नीचे सेंट्रल बोर्ड आफ एक्साइज और रेवेन्यू की इजाजत से लोग इस्तेमाल करते हैं। चूंकि माननीय सदस्य . . .

श्री मधु लिमये : पचास के डब्बी में 25 रहती हैं।

श्री मनुभाई शाह: 25, 10, 20 सब उसी में बिकती हैं। जब माननीय सदस्य ने सवाल उठाया तब हम लोगों ने कहा कि अगर आप फील करते हैं इतना तब आप सेंट्रल बोर्ड आफ एक्साइज से बात करें। उस दिन आप की इजाजत से इसे बन्द करवाया। जो नई बात हो रही है वह भी मैंने बतलाया।

श्री म० ला० द्विवेदी: खादी ग्रामोद्योग भवन में शहद के बदले में जो चीनी बेची जाती थी उसके बारे में सरकार ने जांच की है यदि हां तो क्या पता चला है कि उसमें कितने प्रतिशत चीनी होती थी और कितने प्रतिशत शहद होता था ?

श्री मनुभाई शाह: केस कोर्ट आफ ला के पास पड़ा हुआ है. . .

श्री म० ला० द्विवेदी: कितने प्रतिशत शहद होता था. . .

अध्यक्ष महोदय : कोर्ट के सामने है तो वह क्या बतायें।

श्री म० ला० द्विवेदी: कोर्ट के सामने मुकदमा दूसरी चीज का है।

अध्यक्ष महोदय : हनी का भी उनके सामने है।

श्री म० ला० द्विवेदी : कोर्ट से यह बिल्कुल ताल्लुक नहीं रखता है।

अध्यक्ष महोदय : हनी का वह कहते है कोर्ट में है।

Shri S. M. Banerjee: From the statement it appears that no case of sale of adulterated article or under-quality of goods in any Bhandar of the Khadi and Village Industries Commission has come to the notice of Government except the allegation of sale

of sub-standard honey in the Gram Udyog Bhavan. I would like to know whether it is a fact that after this has been detected a case is going on in the court against the person concerned. Since the sale of adulterated honey has affected the good name of the *Khadi Gram Udyog Bhavan*, will the hon. Minister kindly consider the question of removal or at least transfer, of the Manager of this particular Gram Udyog Bhavan who is responsible for victimising many empolyees, even for minor offences or no offences at all, just to keep up the good name of the Gram Udyog Bhavan?

Mr. Speaker: It may be considered by the Minister.

Shri Nambair: That is no answer.

Mr. Speaker: He has not asked any question. He has given some information and asked the Minister to consider them.

श्री काशी राम गुप्त : क्या मंत्री महोदय को यह जानकारी है कि इस प्रकार का शहद इन भंडारों में सारे देश में बिकता है यदि है तो मैं जानना चाहता हूं कि क्या उसकी भी जांच करवाई गई है और यह पता लगाया गया है कि किस तरह से यह इन भंडारों में आता है, केवल चीनी जिसमें होती है या मिलावट जिसमें होती है वह शहद आता है ? इन भंडारों में किस जगह से यह आता है और क्या कोई ऐसा तरीका अपनाया गया है कि इस तरह का शहद न आये ? अब उसको बन्द करने के कोई उपाय किये गये हैं ?

श्री मनुभाई शाह : यह म्यूनिसिपल हेल्थ का सवाल है । मैंने बताया है कि न सदन का और न मेरी मिनिस्टरी का इसमें कोई सम्बन्ध है । कोई भी दूकानदार जिसके यहां एडल्ट्रेटिड माल होता है उसको हेल्थ इंस्पैक्टर पकड़ता है और उस पर केस चलता है । फिर आप यह भी देखें कि उनका कहना था कि नेचुरल शूगर के अन्दर 43 परसेंट सूकरोज निकलता है पचास नहीं निकलता है । फिर भी यह कहा गया कि केस चलाया जाये । अब केस का जो नतीजा आयेगा, उस पर हम विचार करेंगे ।

श्री काशी राम गुप्त : क्या सरकार ने इन भंडारों में जांच की है कि कहां से यह शहद आता है ?

श्री मधु लिमये : स्रोत कौन सा है ?

श्री मनुभाई शाह : कई जगह से खरीदते होंगे । फेहरिस्त यहां नहीं रखी जाती है ।

UNCTAD

*634 **Dr. L. M. Singhvi:** Will the Minister of **Commerce** be pleased to state:

(a) whether Government have reviewed the progress made in the implementation of the objectives and the recommendations of UNCTAD;

(b) whether Government have noticed and studied the significant decline in the share of developing countries in total world export of primary commodities; and

(c) whether it is a fact that the developed countries have, on the whole, been unwilling to discharge their obligations as outlined by UNCTAD at Geneva?

The Minister of Commerce (Shri Manubhai Shah): (a) Yes, Sir. The progess in the implementation of the objectives and recommendations of UNCTAD is being constantly reviewed by the Government.

(b) The report presented to the 4th Session of the Trade and Development Board, by the Secretary-General UNCTAD on the 'implementation' has revealed that the share of the developing countries in total world export of primary commodities has dropped from 44 per cent in 1953—55 to less than 40 per cent in 1963-64. This decline is attributable to the increasing threat posed by substitutes to the commodities exported mainly

by developing countries and to the increasing production of some of these commodities in the advanced countries.

(c) It is the general feeling among developing countries that the developed countries have not taken measures to implement the recommendations of the first UNCTAD in an adequate or concerted manner. The developing countries are, however, hopeful that as a result of the continuous efforts being made by them in the meetings of the Trade and Development Board as well as in its various committees, they would be able to secure the implementation of at least some of the important UNCTAD recommendations before the second Conference which is scheduled to be held in 1967. It is further hoped that the second Conference will provide an opportunity for reaching negotiated agreements on the implementation of the major recommendations of the first Conference.

Dr. L. M. Singhvi: I am glad that the Government realises that this is a question of life and death for developing countries and that the Government has been active in its efforts to secure the implementation of these resolutions. May I know whether it is the feeling of the Government that while the developed or advanced countries pay lip service to the principles enshrined in the resolutions of the first UNCTAD, they are unwilling to implement these because sufficient diplomatic and political pressure has not been brought to bear upon them in a cohesive manner; if so, what is proposed to be done by the Government of India and other African and Asian countries particularly, and Latin American countries, who have a great deal to gain and whose future depends entirely on the implementation of these principles?

Shri Manubhai Shah: I am glad that the hon. Member has raised this point. We have been trying to exert diplomatic pressure through the heads of states of all the industrialised countries. We are going a step forward in the same direction. We eare proposing that before the UNCTAD session meets here next year, a conference of the 77 should be held in Geneva and elect a ministers' committee which will wait upon the heads of the five principal countries, namely, the United States, the Soviet Union, the United Kingdom, France and Germany, and, if necessary, of some other countries, and contact the very highest seat of authority in those countries to come to brass tacks as to what concessions they are going to make finally to the international trade of the developing countries.

Shri Shinkre: Did I hear the Minister correctly?

Mr. Speaker: I do not know whether he heard correctly or not. I am asking Dr. Singhvi to put this question.

Dr. L. M. Singhvi: May I know whether Government have considered the possibility of making this as the main plank of their external policy and to act in concert with these 76 other nations as if this were the main basis of our external affairs policy largely in order to see that the bigger nations may accept and implement these resolutions and also whether the Government subscribes to the view that an increasing share in international trade is far more important than any quantum of aid and assistance that we might receive from time to time?

Shri Manubhai Shah: I express my whole-hearted agreement on behalf of the Government of India with the enunciations made by the hon. Member.

Shri Ranga: I am glad that my hon. friend has admitted the need for exercising diplomatic influences and, therefore, he is going to take some steps at Geneva by convening the conference of ministers and so on. In view of the fact that the whole of this matter has achieved even this much of public importance all over the

world because of the realisation by the United Nations as a whole that this kind of assistance should be given to the developing and underdeveloped countries, is it not high time that the United Nations Assembly should be moved once again before the second conference is held to highlight this particular demand as well as the need of the developing countries and in that way create or strengthen the public opinion which is already there all over the world in favour of these countries and also bring public pressure to bear upon these developed countries and their great leaders—three or four of them?

Shri Manubhai Shah: As the hon. Member and the hon. House is aware, the entire final act of the UNCTAD was endorsed by the General Assembly of the United Nations. Now we have no supra-national authority in the world yet emerging. Therefore the Nation States have again to endorse the detailed resolution. So, all the efforts to get the backing of the General Assembly are continuing. When the ministerial meeting will meet the heads of States, again the matter will come before the second UNCTAD and it will go before the General Assembly for endorsement. But the real weak point in international affairs today is that there is no authority which can supervene on the national sovereignty of a country.

Shrimati Renuka Ray: In view of the fact that the Minister has agreed that trade is more important than any other factor in getting over the economic crisis that we face, I would like to know whether there is any move for the developing countries as such to meet and assess to what extent these developed countries have defaulted, before the next meeting of UNCTAD.

Shri Manubhai Shah: The defaults of the developed countries are so many that it will be difficult to say where they have defaulted. They have really not acted at all except in a marginal manner. Therefore, we are once again appealing to the conscience of the world through as much of diplomatic talking and negotiations as possible so that one day the cry of the poor countries will reach the ears of the rich countries and get some response from them.

Shri Bhagwat Jha Azad: Even the voluntary commitment by the developed countries of contributing 1 per cent of their national income for the developing countries has not been fulfilled. Even in the field of trade and commerce, it has gone down. In the light of this fact, may I know whether Government's attention has been drawn to the latest resolution of the Economic Committee of the United Nations General Assembly asking the developed countries to come forward with this contribution? But nothing has happened. How do the Government propose, in view of their contribution going down, whereas their income is going up by leaps and bounds and our *per capita* income has gone down, to fill the gap that these recalcitrant developed countries have made?

Shri Manubhai Shah: I would not fully agree with the hon. Member. The developed countries have generally parted with 1 per cent of their national income as aid.

Shri Bhagwat Jha Azad: See the latest resolution of the United Nations General Assembly. They are not doing it.

Shri Manubhai Shah: I agree that this 1 per cent is not a flat average. As a matter of fact, France has gone, more or less, upto 1.9 per cent. I want to reiterate before the hon. House that in the last sessions of various international forums, we have asked for 2 per cent gross—1 per cent is not adequate—because of re-scheduling of debts and the payment of heavy drafts of credit repayment and financing charges. This is getting too much of a burden on the less developed countries. The new resolution says that, as far as possible, the total aid

in gross terms should be 2 per cent of the national income of those countries.

Shrimati Savitri Nigam: Is the hon. Minister aware that because of the non-implementation of the resolution by the developed countries, the export earnings of the developing countries are going down, the reason being very obvious that while the prices of the finished goods have gone up, the prices of the raw materials have gone down considerably? I would like to know from the hon. Minister whether any attempt has been made, in view of the loss which the developing countries are facing, to organise the developing countries not to supply the raw materials at such a low rate and to implement the resolution indirectly.

Shri Manubhai Shah: A few steps have been taken in this direction though not in as concrete terms as the hon. Member is suggesting. The first step is that we have a commodity commission in the United Nations General Assembly of the U.N.C.T.A.D., in which it has been proposed that international commodity agreements, such as, sugar, wheat, rice, tea, cocoa, coffee and various other products of importance to the developing countries, should have a floor price below which no developed country can buy from the developing countries This is the first step. It is not that it has succeeded. But the effort is towards stabilising the prices of the raw materials of the developing countries.

On the question of the importation of the sophisticated and complex technologies from the developed countries, of which the hon. Member said that the prices are going up, the negotiations are made at dismantling tariff walls—the entry of goods in different countries has a certain amount of tariff scale—and it is necessary to see that these tariffs are reduced in order to make the cost of these imports cheaper to the importing countries. But I must express my total dissatisfaction at the progress so far made. The progress by the industrialised countries has been halting and we are still pursuing the matter.

Zinc Smelter Project at Visakhapatnam

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*635. **Dr. P. N. Khan:**
Dr. M. M. Das:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of **Mines and Metals** be pleased to state:

(a) whether the contract with M/s. Centrozap of Poland for the preparation of a detailed Project Report about the Zinc Smelter Project at Visakhapatnam has been concluded and the report in this regard submitted;

(b) whether Government expect to get technical and financial assistance from Poland for the implementation of the project;

(c) if so, whether any agreement has been concluded with the Polish Government; and

(d) the progress, if any, made in the implementation of the Project?

The Deputy Minister in the Ministry of Mines and Metals (Shri S. A. Mehdi): (a), (b), (c) and (d). A contract was concluded on 28th Februay, 1966 with M/s. Controzap of Poland for the preparation of a detailed project report for a Zinc Smelter, based on the imported zinc concentrates to be set up at Visakhapatnam, with Polish technical and financial assistance, during the Fourth Five Year Plan. The work on the preparation of the project report was however stopped in September, 1966 consequent on the non-inclusion of the project in the Fourth Five Year Plan.

Dr. P. N. Khan: May I know the number of places which were selected initially and also why Visakhapatnam was given preference and whether this

was due to any political pressure from that State?

Shri S. A. Mehdi: There was no political pressure in this. As I said last week, it is a question of having imported concentrates which are standing in the way at the moment due to tight foreign exchange position.

Dr. P. N. Khan: May I know whether any attempt was made to get the project report done by any indigenous firm and, if so, which firms were approached?

Shri S. A. Mehdi: As I have said, the contract had been made and the project report has already been prepared.

Dr. M. M. Das: The hon. Minister has said that a contract had been made and the Polish Government agreed to give financial and technical assistance. He has also said that in last September the scheme was abandoned, if I could follow him properly. Now this is rather confusing. An agreement was made with a foreign country and then for some reason the scheme has been abandoned. What are the reasons for abandoning this important scheme and what were the commitments of the Polish Government, i.e., the terms of the agreement that we entered into with the Polish Government?

Shri S. A. Mehdi: We had a contract with the Polish Government in the initial stages to prepare the project report and, as I have said, some expenditure has already been made on that; about Rs. 13 lakhs have been spent in the preparation of the project report and other expenses also have already been incurred. The question is that even after the project report is prepared, the financial position would not allow us to push this matter further because of the yearly import of zinc that is required.

The Minister of Mines and Metals (Shri S. K. Dey): May I also add this to what my colleague has just now said?

There is also another consideration. The establishment of the zinc smelter involves considerable investment of foreign exchange. It was felt by the Planning Commission on the basis of the study made by experts that the advantage secured by the country between the import of concentrates and the finished metal was not such as to justify the utilisation of the hard foreign exchange today for the establishment of this zinc smelter. Therefore, the scheme had to be abandoned.

Dr. M. M. Das: What was the expenditure already committed?

Mr. Speaker: That will be another question.

Mr. M. L. Dwivedi.

श्री म० ला० द्विवेदी : क्या इस बीच में हमारे देश में ऐसी खदानों का पता चला है, जहां पर जिंक मिल सके और क्या यह महसूस नहीं किया गया है कि हमारे देश में सैनिक काम के लिए भी और देश की अन्य आवश्यकताओं के लिए भी इस जिंक स्मेल्टिंग प्लांट की बहुत आवश्यकता है ? तो क्या अपने देशी उत्पादन और विदेश से मंगाये हुए जिंक से यह स्मेल्टिंग प्लांट नहीं चल सकेगा ; यदि वह चल सकेगा, तो क्या उसको चालू करने के लिए फिर से कोशिश की जायेगी ?

Shri S. K. Dey: We are very fully alive to the need for zinc metal for purposes both of Defence as well as of our industries. As the hon. Member is aware, there is a zinc smelter, together with all the mining facilities that are being established, at Udaipur, which will secure us about 18,000 tonnes of zinc per year. We are also trying to accelerate the process of exploration of zinc metal in other parts of the country and the prospects are very promising.

श्री म० ला० द्विवेदी : मैं ने यह भी पूछा था कि क्या इस प्लांट को चालू करने की सम्भावना है । उसका जवाब नहीं आया है ।

अध्यक्ष महोदय : माननीय सदस्य अपने सवाल में तीन चार बातें पूछ हैं, इसलिए उनमें से कुछ रह जाती हैं ।

Shri S. K. Dey: I have already indicated that there will have to be further expansion of the production of zinc in this country and, therefore, of smelting capacity.

श्री भागवत झा आजाद : मैं यह जानना चाहूंगा कि विशाखापतनम में स्मेल्टर परियोजना पर इकरारनामा हो गया और उत्पादन प्रारम्भ हो गया तो इसकी प्रारम्भिक और अन्तिम कैपेसिटी क्या होगी ?

Shri S. K. Dey: It has not yet started. All that has been done is a preliminary investigation of the possibility of the project, and on the basis of that a project report was being prepared by our friend's from Poland.

Shri M. L. Dwivedi: For what capacity?

Shri S. K. Dey: For a capacity of 30,000 tonnes per year.

Shri S. C. Samanta: May I know whether some other zinc-supplying countries were also contacted in the matter, and if so, the foreign exchange involved in those cases?

Shri S. K. Dey: We are sceecuring zinc from all sources. The zinc concentrates which we wanted to import for the prospective Vishakapatnam smelter were intended to be imported for Iran.

Shri Subodh Hansda: This project report was prepared by Messrs. Centrozap of Poland. The earlier question put by Dr. P. N. Khan whether any indigenous attempt was made to find out the talent in our country to prepare such project report was not answered. May I know whether in preparing this project report, our experts were also associated with Messrs. Centrozap?

Shri S. K. Dey: The project report has not yet been prepared. It was in the process of preparation. I may mention also that in regard to zinc we are woefully short of adequate expertise in this country at the moment

Shri Kashi Ram Gupta: Zinc is a scarce commodity. The hon. Minister has just now stated that we are having surveys in many States. May I know the names of the States where there are prospects of the availability of zinc in good quantity? May I also know whether the Vishakapatnam smelter will be fed by one State or more than one State or whether some quantity will have to be imported from outside also?

Shri S. K. Dey: Based on current knowledge, we have fairly appreciable deposits in the State of Rajasthan and also in the State of Andhra Pradesh.

Shri Kashi Ram Gupta: I wanted to know whether the Vishakapatnam smelter will be fed by one or more State or whether we shall have to import some concentrates from outside?

Shri S. K. Dey: When the Vishakapatnam smelter has actually been established, we shall have to consider whether we have adequate concentrates available in the country or whether we shall have to import from outside. It is very difficult at the moment to speculate.

Shri Kashi Ram Gupta: It is very strange that without having the sources they want to start the smelter.

Shri P. Venkatasubbaiah: May I know by what time the zinc smelter patnam will come up?

May I also know whether the attention of the hon. Minister has been drawn to the press report that the Central Government are going to give up the project finally, much to the dissatisfaction of the people there?

Shri S. K. Dey: I have already mentioned that because of the shortage of foreign exchange and other economic considerations, the project had to be deferred for the time being.

Shri S. M. Banerjee: The hon. Minister has just stated that the plant which is already there in Udaipur is under expansion. May I know whether the French experts who were to come to India to suggest ways and means of further expansion of that project are in India, and if so, when the final report is going to be given by them?

Shri S. K. Dey: The French experts were expected to have landed in India just about the end of last month. I cannot exactly say whether they have actually arrived. When they do arrive, we shall certainly consult them in regard to the working of the present smelter which is under erection and also the possibilities of further expansion.

Shri S. M. Banerjee: My question has not been answered. I wanted to know whether the experts had come already?

Mr. Speaker: He has answered it already.

Export of Finished Products

*636. **Dr. Karni Singhji:** Will the Minister of **Commerce** be pleased to state:

(a) the percentage of manufactured goods to total exports made by India during 1965-66; and

(b) the steps being taken to increase exports of finished products and to reduce the quantum of export of raw materials from the country?

The Minister of Commerce (Shri Manubhai Shah): (a) The proportion of wholly or mainly manufactured articles in India's total exports in 1965-66 was roughly 48 per cent.

(b) The detailed steps taken after devaluation to assist manufacturing units in the matter of stepping up production and increasing exports are given in my statement laid on Table of the Lok Sabha on 16-8-1966. Encouragement is also given to better in-factory organisation for planning and programming for production of exports, quality control and pre-shipment inspection, better packaging and storage after-sales service and cost reduction. Moreover, as recommended by the Board of Trade from time to time, every encouragement is given to processing raw materials before export, for example by modernising factorisies for the manufacture of boots and shoes, making of garments and finished raw hides and skins, pelletising iron ore and so on.

Dr. Karni Singhji: May I know how much of the exports of manufactured goods comprise industrial machinery and appliances and other consumer goods and how much agriculture based commodities?

Shri Manubhai Shah: Agricultural commodities as purely non-processed will come to about 30 per cent. But if we take jute goods and processed agricultural products like sugar and cotton, 78 per cent of India's exports are either agricultural commodities or based on agricultural commodities.

Dr. Karni Singhji: In order to attract the foreign markets and promote exports in our industrial goods and other non-agricultural consumer goods, what steps are being taken to bring our goods to compare favourably with international standards both in finish and performance, and what, generally, is the reputation of Indian products abroad?

Shri Manubhai Shah: 82 per cent of the goods now which are being exported have come under compulsory quality control and pre-shipment inspection. I can inform the House that in the last two years, particularly in the last one year, we have received a minimum of damage claims from foreign buyers.

Shri K. C. Pant: It is a well-known fact that Indian costs of production are, much higher than international costs, and one of the reasons for this is that the Traiff Commission fixes that

prices on the basis of cost plus which bear no relation to international costs? Do Government propose to give any instruction to the Tariff Commission to fix prices in such a manner that the international costs and our prices have a comparable relationship?

Shri Manubhai Shah: International costs cannot be considered to be a criterion for fixing indigenous costs, even though the attempt of the industry and agricultural sector is to reduce costs. We cannot give instructions to the Tariff Commission to fix the internal costs based on international costs.

श्री भागवत झा आजाद : माननीय मंत्री जी ने जिन स्टेटमेंटस का हवाला दिया मैंने उसको देखा है। मैं यह जानना चाहता हूं कि स्टेटमेंट में दिये गये स्टेप्स को लेने के बाद तथा अवमूल्यन के दो पिताओं ने अवमूल्यन के जिन गुणों का वर्णन किया है उसकी पृष्ठभूमि में एक्सपोर्ट में वृद्धि हुई या कमी हुई है ?

श्री मनुभाई शाह : मुझे यह पता है कि पहले चार महीनों में कमी जरूर हुई है लेकिन अब जो इम्पोर्ट लिबरलाइजेशन और ऐग्रीकल्चरल प्रोडक्शन में फर्टिलाइजर्स वगैरह आये हैं, उसका जो नतीजा देखना है उसके लिए और थोड़ा समय चाहिएगा।

Shri P. C. Borooah: Is it a fact that since the introduction of the *ad valorem* system for realising export duty on tea about ten days ago, the export trade in tea has comes to a standstill? If so, what steps have Government taken to rectify the position?

Shri Manubhai Shah: Nothing has come to a standstill. Only yesterday the Calcutta port and customs authorities approved 28 shipping bills out of 32 on tea.

श्री क० ना० तिवारी : मैं यह जानना चाहता हूं कि आजकल इंटरनेशनल मार्केट में चीनी का भाव क्या है और कितना एक्सपोर्ट करने का विचार सरकार रखती है ?

श्री मनुभाई शाह : भाव 15 पौंड स्टर्लिंग है जो रुपये में 315 रुपये आता है और हमारा इरादा तीन सौ साढ़े तीन सौ लाख टन तक एक्सपोर्ट करने का है।

Shrimati Savitri Nigam: Is it a fact that lack of standardisation and lack of packing facilities are also a great hindrance to increasing our exports? If the answer is in the affirmative, what particular steps have been taken after devaluation to see that these two aspects are looked after properly?

Shri Manubhai Shah: I did not catch the two aspects.

Mr. Speaker: The Question Hour is over.

Shri Nambiar: The two aspects may be made clear.

12.00 hrs.

SHORT NOTICE QUESTION

Fast by Leader of Gramsevaks in Kerala

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S.N.Q. 5. **Shri Mohammed Koya:**
Shri P. Kunhan:
Shri A. K. Gopalan:
Shri Umanath:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the leader of the Gramsevak Association, Kerala is on fast;

(b) the grievances asked to be redressed by the Gramsevaks; and

(c) Government's reaction thereto?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) The Vice-President of the Gramsevaks Association of Kerala was on fast from 14th November, 1966 to 28th November, 1966.

(b) Their demands were as follows:

(i) Revision of pay scales;

(ii) grant of house rent allowance;

(iii) provision of opportunities for promotion;

(iv) enhancement of conveyance allowance;

(v) making the Development Department a separate and permanent Department.

(c) State Government have agreed to consider their demands and the Gramsevaks withdrew their agitation, on the afternoon of 28th November, 1966.

Shri P. Kunhan: What are the terms and conditions agreed to between the Government and the representatives of the Gramsevaks?

Shri P. S. Naskar: It is not nogotiation or something like that that there will be terms of agreement and all that. They put forward certain demands before the Government, and the Government told them that they are considering them, and on that the fast has been withdrawn, and the agitation was also withdrawn.

Shri P. Kunhan: What are the demands put forward by the Gramsevaks, and which demands have been agreed to?

Shri P. S. Naskar: I read out the demands of the Gramsevaks.

Mr. Speaker: Which of them have been agreed to?

Shri P. S. Naskar: I am coming to that. In answer to part (c) of the question I said that the Government have agreed to consider them.

Shri Umanath: I have seen it in the press clearly stated that the Government have accepted, conceded, a part of the demands in the memorandum of the Gramsevaks, on which the hunger strike has been withdrawn, and the other part is to be negotiated with them in a proper atmosphere. I would like to know whether it is not a fact that the Government have accepted certain demands; if so, which are the demands? If they have not accepted and it has been unconditionally withdrawn, I would like to know when the Government propose to negotiate with them.

Shri P. S. Naskar: I read out in answer to part (c) of the question that the State Government have agreed to consider their demands. I have no information with me at the moment as to which part of their demands has been agreed to, and which part the State Government are considering. I have not got the details.

Mr. Speaker: He has no information.

Shri Umanath: But the question was there before him.

Mr. Speaker: The State has only informed them that they have agreed to consider. Therefore, from that no conclusion can be drawn.

Shri Vasudevan Nair: Following the award of the Pay Commission there were many anomalies, and many categories of Government employees, including the Gramsevaks, have agitated for rectification of these anomalies. I should like to know from the Minister whether he is aware that the Kerala Parliamentary Consultative Committee has recommended to the Government that a tribunal should be appointed to go into these cases of anomalies following the Pay Commission's award, including that of the Gramsevaks, and I should like to know whether Government has taken any decision in that matter of the appointment of a tribunal to go into the anomalies, because there are many other pending cases, and you will have to face them tomorrow or the day after.

Shri P. S. Naskar: The question today is on the Gramsevaks. I do not exactly remember about the recommendtions of the Consultative Committee, but so far as this question of Gramsevaks is concerned, as I said in my answer, their demand is also for the revision of their pay scales even on the pay scale awarded by the Pay Commission, and the State Government have said that they are considering their demands.

WRITTEN ANSWERS

Sale of Forged Railway Tickets

***637. Shri Vishwa Nath Pandey:**
Shri Yashpal Singh:
Shri Bagri:
Dr. Ram Manohar Lohia:

Will the Minister of **Railways** be pleased to refer to the reply given to Short Notice Question No. 27 on the 5th September, 1966 regarding the sale of forged railway tickets and state:

(a) whether the investigations have since been completed;

(b) if so, the main features of the investigations; and

(c) if not, when the investigation is likely to be completed?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) No. Sir.

(b) Does not arise.

(c) The case is under investigation by the police and it will take some time.

Delicensing of Textile Industry

***638. Shrimati Tarkeshwari Sinha:**
Shri Onkar Lal Berwa:
Shri Maheswar Naik:
Shri P. C. Borooah:
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri M. L. Dwivedi:
Shri Liladhar Kotoki:
Shri N. R. Laskar:
Shri R. Barua:

Will the Minister of **Commerce** be pleased to refer to the reply given to Starred Question No. 132 on the 29th July, 1966 and state:

(a) whether Government have decided to delicense the textile industry in the country; and

(b) if so, the broad features of Government's policy in this regard?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). The proposal to de-license textile industry is still under the consideration of Government.

ट्रैक्टर निर्माण कारखाना

***639. श्री हुकम चन्द कछवाय :**
श्री बड़े :
श्री सुरेन्द्रपाल सिंह :
श्री सरजू पाण्डेय :

क्या उद्योग मंत्री 5 अगस्त, 1966 के अतारांकित प्रश्न संख्या 1453 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या चैकोस्लोवाकिया के सहयोग से ट्रैक्टर बनाने का कारखाना स्थापित करने की योजना सम्बन्धी रिपोर्ट इस बीच सरकार को प्राप्त हो गई है;

(ख) यदि हां, तो उसकी मुख्य बातें क्या हैं; और

(ग) यदि नहीं, तो इस रिपोर्ट के कब प्राप्त हो जाने की संभावना है ?

उद्योग मंत्री (श्री दा० संजीवैया) : (क) जी, नहीं ।

(ख) प्रश्न ही नहीं उठता ।

(ग) जैसा कि 5 अगस्त, 1966 को दिये गये अतारांकित प्रश्न संख्या 1453 के उत्तर में बताया जा चुका है, विस्तृत परियोजना रिपोर्ट के इस वर्ष के अन्त तक मिल जाने की आशा है ।

Prices of Essential Commodities

***640. Shri S. C. Samanta:**
Shri M. L. Dwivedi:
Shri Subodh Hansda:
Shri Bhagwat Jha Azad:
Shri P. C. Borooah:
Dr. M. M. Das:

Will the Minister of **Commerce** be pleased to state:

(a) the arrangements made by the Cabinet Committee on prices for the

production and distribution of a number of essential commodities to check excess profits;

(b) how far the prices of grain, fertilizers, kerosene, diesel oil and other petroleum products have been pegged down, according to the decision which was made along with the decision to devalue the rupee; and

(c) the arrangements that have been made for larger imports of copra, palm, sun-flower and soyabean oil to make up the shortage of cooking mediums?

The Minister of Commerce (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House. [*Placed in Library See* No. LT-7498/66].

Cash Assistance Scheme for Exports

***641. Shri Yashpal Singh:** Will the Minister of **Commerce** be pleased to state:

(a) whether Government have refused to extend the cash assistance scheme for the export of goods other than those that have already been notified by Government; and

(b) if so, the reasons for not extending this facility for other goods in view of the serious trade difficulties created by devaluation?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). Announcement has already been made in regard to the items on which cash assistance is permissible.

Agricultural Exportable Commodities

***642. Shri Bibhuti Mishra:**
Shri K. N. Tiwary:

Will the Minister of **Commerce** be pleased to state:

(a) whether it is a fact that he informed the Export-Import Advisory Committee meeting held at Delhi on the 17th September, 1966 that Government propose to reduce the export duties on various agricultural exportable commodities;

(b) if so, whether any other advice was given to them; and

(c) to what extent that would help Indian agriculturists and exports?

The Minister of Commerce (Shri Manubhai Shah): (a) No, Sir.

(b) and (c). Do not arise.

Cost of Production of Diesel Locomotives at Diesel Locomotive Works, Varanasi

***643. Shri P. C. Borooah:**
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri M. L. Dwivedi:
Shri Maheswar Naik:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the cost of production of diesel locomotives at the Diesel Locomotive Works, Varanasi has gone up by more than 25 per cent as a result of devaluation;

(b) if so, whether this rise in cost has caused a drastic cut in diesel locomotives output and, if so, to what extent; and

(c) how the production after devaluation compares with that during the corresponding period last year?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) No, Sir.

(b) Does not arise.

(c) In the 5 months since devaluation *viz.* June to October, the production was 17 locos as compared to 19 in the corresponding five months of last year. The lower out-turn this year was due to the shortage of axles and not devaluation. But for this, the out-turn during the former period would have been 25 locomotives.

Transportation of Foodgrains in Open Wagons

***644. Shri Subodh Hansda:**
Shri S. C. Samanta:
Shri Bhagwat Jha Azad:

Shri M. L. Dwivedi:
Dr. M. M. Das:
Shri P. C. Borooah:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that a huge quantity of foodgrains was damaged during 1965-66 in transit from one part of the country to another;

(b) if so, whether any assessment of the loss of foodgrains thereby was made;

(c) whether the damage was caused due to the use of open wagons for carrying the foodgrains; and

(d) if so, the reasons for using open wagons?

The Deputy Minister in the Ministry of Railways, (Shri Sham Nath): (a) No, but some quantity of foodgrains was damaged.

(b) Yes, assessment was made in some individual cases but the total figures are not yet available.

(c) Damage was caused to some extent to foodgrains carried in open wagons, but demage was also caused to consignments carried in covered wagons.

(d) Normally BOX/open wagons covered yith tarpaulins under escorts are used in block rakes for clearance of foodgrains only during fair weather. In the monsoon months of 1965-66 due to concentration of a large number of ships at Madras and again during the same period in 1966-67 due to very heavy and unforeseen imports of foodgrains, Railways have had to provide open wagons to some extent for carrying foodgrains from ports as it was not possible to provide additional covered wagons for such sudden and unexpectedly heavy movements. However, for this purpose BOX wagons have been provided with special fittings for covering them with tarpaulins in such a way as to slope outwards for water to drain off easily.

Production of Coffee

***645. Shri Maheswar Naik:**
Shri Bishwanath Roy:

Will the Minister of **Commerce** be pleased to state:

(a) the special efforts being made to increase the production of coffee to an appreciable degree with a view to have larger export earnings; and

(b) whether Central help is extended to the States, where natural facilities for growth of coffee are available?

The Minister of Commerce (Shri Manubhai Shah): (a) Increase in Coffee Production is being brought about by:

(i) extension of acreage under coffee;

(ii) intensive cultivation in the existing areas by the application of fertilizers and pesticides and by planting the high yielding and disease-resistant coffee seeds supplied to the planters by the Coffee Board;

(iii) grant of long-term loans to planters to enable them to undertake intensive cultivation; equipment and machinery required for this is also supplied by the Coffee Board on a hire-purchase basis.

(b) Yes, Sir.

Nanakchand Shadiram

***646. Shri Kishen Pattnayak:**
Shri Madhu Limaye:

Will the Minister of **Industry** be pleased to state:

(a) whether it is a fact that the firm of Nanakchand Shadiram (Government controlled stockists and Importers of Steel with offices at Delhi, Madras, Kanpur, Calcutta) has been prosecuted and convicted for violation of some laws in force;

(b) whether it is also a fact that despite this the associates/partners of

this firm have been allowed to float a public limited company;

(c) whether the Madras Government have given land to this company at a concessional rate;

(d) whether the financial institutions and other departments of Central and State Governments have given various kinds of assistance to this company;

(e) whether the company has commenced production and whether any construction work has been done; and

(f) if not, the action taken to protect the public and the State interests?

The Minister of Industry (Shri D. Sanjivayya): (a) The firm of Nanakchand Shadiram was convicted by the Third Presidency Magistrate, Madras, in 1964, for submission of false returns under the provisions of Essential Commodities Act read with the provisions of the Iron and Steel Control Order and Indian Penal Code. They have filed an appeal before the High Court which is pending.

(b) M/s. Madras Tube Company, Madras, promoted by a partner of the firm of Nanakchand Shadiram was incorporated in 1961 *i.e.* long before this conviction.

(c) No, Sir. Land to the extent of 162.59 acres was assigned at market value.

(d) M/s. Madras Tubes Co. have been given licence in 1961 under Industries (Development & Regualtion) Act, 1951, for the manufacture of 48,000 tons of ERW tubes per annum. For this project, necessary import licence for capital equipments, approval for entering into collaboration with a foreign firm and consent for the issue of capital have been given. Certain financial institutions like Madras Industrial Investment Corporation, Industrial Finance Corporation etc. have approved their scheme for under-writing the shares that are to be issued.

(e) The factory has not yet started the construction work and hence the question of production does not arise.

(f) As mentioned in part (b) above, no irregularities have been committed by M/s. Madras Tube Company and hence the question of protection of interest of those participating in its activities does not arise.

Indian Hotels in Pakistan

*648. **Shri R. S. Pandey**: Will the Minister of **Commerce** be pleased to state:

(a) the number and names of hotels run by the Indians in Pakistan which were taken over by the Government of Pakistan during the last year's conflict between the two countries; and

(b) whether Government have taken any initiative to get the assets of Indian hoteliers which were confiscated by Pakistan released?

The Minister of Commerce (Shri Manubhai Shah): (a) According to available inforamtion the number of Hotels taken over by the Government of Pakistan is six. The names of the Hotels are as follows:—

(i) Oberoi Cecil, Murree.

(ii) Oberoi Flashmans, Rawalpindi.

(iii) Oberoi Deans, Peshawar.

(iv) Oberoi Falettis, Lahore.

(v) Bristol Hotel, Civil Lines, Karachi.

(vi) Palace Hotel, Karachi.

(b) Yes, Sir, Government of India have repeatedly proposed to the Government of Pakistan the restitution in their entirety of all properties and assets taken over by either side during the conflict in September 1965. There has been no response from the Government of Pakistan.

Foreign Exchange allocation for import of Capital Goods

*649. **Shri Basumatari**: Will the Minister of **Commerce** be pleased to state:

(a) whether it is a fact that the Central Government have decided to make a special foreign exchange allocation for the import of capital goods required by export industries; and

(b) if so, whether Government had also assumed powers to direct indigenous manufacturers of raw materials to supply the requirement of the exporters on a priority basis?

The Minister of Commerce (Shri Manubhai Shah): (a) Attention of the Hon. Member is invited to paragraph 5 of the Statement made in this House on August 16, 1966. The details of the arrangements are being worked out and will be announced in the near future.

(b) A scheme has been issued providing for the prompt supplies of certain indigenous raw materials (most of which have already been declared as "essential commodities" under the Essential Commodities Act, 1966) to manufacturing units in the engineering, chemicals, plastics, processed foods and garments industry, whether such units are directly engaged in export or sell to any other person or firm for export.

Accidents on South-Central and North-East Frontier Railways

*650. **Shri Indrajit Gupta**: Will the Minister of **Railways** be pleased to state:

(a) the progress made in the investigations into the causes of the three recent major railway accidents on the South-Central and North-East Frontier Railways;

(b) whether it is proper before the investigations are completed, for persons in authority to issue public statements ascribing such accidents to 'sabotage' or 'Human failure'; and

(c) the reasons for arresting certain Railway staff prior to final judgement of the investigating bodies?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Presumably the question refers to the train accidents which occurred on 10th October 1966 and 12th October, 1966, on the South Central Railway and on 20th October 1966 on the Northeast Frontier Railway. All these three accidents were enquired into by the Commission of Railway Safety and their final reports have not yet been received. However, according to the Provisional findings of the Commission of Railway Safety, while the accident which occurred on 12th October 1966 was due to the failure of railway staff, the other two were attributable to acts of sabotage.

(b) Where the Commission of Railway Safety hold an enquiry, they submit a brief preliminary narrative report and also give their provisional findings. This report is factual and does not contain any reference to persons implicated. Based on the provisional finding, sometimes Press Notes are issued for the information of the public in regard to the cause of the accident.

(c) This matter falls within the purview of the State Governments.

Manufacture of DT-14B Russian Tractors in the Country

*651. **Shri Balgovind Verma:**
Shri Braj Bihari Mehrotra:
Shri Vishwa Nath Pandey:
Shri Ram Swarup:
Shri Chandak:
Shri Yashpal Singh:
Shri Madhu Limaye:
Shri Sarjoo Pandey:
Shrimati Renu Chakravartty:
Shri Utiya:
Shri Prabhat Kar:

Will the Minister of **Industry** be pleased to state:

(a) whether it is a fact that a scheme for the manufacture of DT-14B Russian tractor was submitted to Government in 1964;

(b) if so, why no decision has been taken when this Horse-Power tractor

is not manufactured in the country and the majority of the demand of the farmers is in this range; and

(c) whether it will not be in the national interest to undertake manufacture of DT-14B Russian Tractors when thousands of this type of tractors are already in operation on Indian farms and about 4000 are being imported this year and they are likely to suffer for want of spare parts etc., in the absence of any manufacturing programme?

The Minister of Industry (Shri D. Sanjivayya): (a) to (c). A number of schemes from private parties proposing manufacture of DT-14B Russian tractors had been received by Government during 1964 and 1965. All these schemes were rejected, as Government had decided to set up a public sector factory for the manufacture of tractors in this range with Czechoslovak collaboration. This decision was taken in consultation with the Department of Agriculture and other Ministries concerned after careful consideration of the relevant technical data including the relative performance of different types of tractors under Indian condition. In view of this position, there is no scope, at present, to entertain any scheme for the manufacture of DT-14B Russian tractors.

The existence of a large number of imported DT-14B tractors in the country and the need for spare parts for their proper maintenance cannot by themselves justify a manufacturing project. There is no danger of these tractors suffering for want of spare parts as the required spare parts could be imported from the U.S.S.R. under the Trade Plan.

Surplus Railway Locomotives

*652. **Shri Hari Vishnu Kamath:** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 834 on the 2nd September, 1966 and state:

(a) whether it is a fact that in early 1964, the Railways had about 100 Locomotives surplus to requirements on Broad Gauge and Metre Gauge and that this issue was frequently discussed at the General Managers' Conference;

(b) whether Government propose to institute an inquiry into all the transactions of purchase of diesel and electric locomotives, and terms and conditions of collaboration agreements, in order to fix responsibility for wasteful expenditure; and

(c) if not, the reasons therefor?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) No, Sir. There were no surplus Broad Gauge/Meter Gauge locomotives on the Indian Railways in early 1964. Matters pertaining to operation, availability and utilisation of power, maintenance etc. are generally discussed in all General Managers' Conferences.

(b) and (c). Do not raise.

Personnel Officers on Railways

*653. **Shri Priya Gupta:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that there is no cadre for manning senior posts in the Personnel Branch of the Railways and such posts are held by drawing officers from other Departments of the Railways on a tenure basis for short spells;

(b) whether such frequent change of personnel officers has resulted in deterioration of efficient working of the Personnel Branch on the Railways; and

(c) whether Government propose to set up a separate cadre for Personnel Officers in the near future?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) and (b). Posts are sanctioned separately for Personnel work but no direct recruitment is made and these posts are filled by drawing offi-

cers for some years from other Railway departments and promotion of Class III staff many of whom have worked in personnel branches. This system has worked satisfactorily.

(c) No, Sir.

Import Licences to M/s. Ram Krishan Kulwant Rai

***654. Shri Yashpal Singh:**
Shri Bagri:
Dr. Ram Manohar Lohia:

Will the Minister of **Iron and Steel** be pleased to state:

(a) whether the investigations into the import licences worth over Rs. 1 crore which were issued to M/s. Ram Krishan Kulwant Rai in 1960 have since been completed; and

(b) if so, whether the enquiry report will be laid on the Table?

The Minister of Iron and Steel (Shri T. N. Singh): (a) and (b). The specific case referred to by the Hon. Members is one of the cases to be enquired into by the Sarkar Committee of Inquiry. It will be appreciated that it is not possible to submit a report separately in each case.

मैसर्स ए० एच० व्हीलर एण्ड कम्पनी

***655. श्री विभूति मिश्र :**
श्री क० ना० तिवारी :

क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार देश में विभिन्न रेलवे स्टेशनों पर पुस्तकें बेचने वाली मैसर्स ए० एच० व्हीलर एंड कम्पनी तथा अन्य कम्पनियों के एकाधिकार को समाप्त करने का है; और

(ख) यदि हां तो यह मामला अब किस अवस्था में है?

रेलवे मंत्रालय में उपमंत्री (श्री शामनाथ): (क) एक पूरी रेलवे में या उसके किन्हीं भागों में पहले केवल मैसर्स ए० एच० व्हीलर एण्ड कम्पनी जैसी फर्मों को ही किताबों की दूकान चलाने के जो अधिकार दिए गए थे, उनमें 1-8-1960 से संशोधन कर दिया गया है जिसके अनुसार (1) जिन स्टेशनों पर किताबों की दूकानें नहीं हैं, वहां दूसरों को किताबों की दूकान खोलने की अनुमति दी जा सकती है, (ii) जिन स्टेशनों पर इस समय किताबों की दूकानें हैं, वहां भी रामकृष्ण मिशन, गीता प्रेस आदि कुछ विशिष्ट संस्थाओं की पुस्तकों, पत्रिकाओं आदि की बिक्री के लिए दूसरी दूकानें खोली जा सकती हैं। ऐसी परिस्थिति में अब मैसर्स ए० एच० व्हीलर एण्ड कम्पनी या किसी दूसरी फर्म को किताबों की दूकान चलाने का एकाधिकार प्राप्त नहीं है। मैसर्स ए० एच० व्हीलर एण्ड कम्पनी के अलावा लगभग 80 ठेकेदार और हैं जो रेलों पर किताबों की दूकान चलाते हैं।

(ख) सवाल नहीं उठता ।

Manufacture of Conveyer Belting for Collieries

***656. Shri Madhu Limaye:** Will the Minister of **Industry** be pleased to state:

(a) whether any proposal was made to Government for the manufacture of conveyer belting used in collieries;

(b) the amount of foreign exchange this project involve;

(c) the foreign exchange spent per year on importing conveyer belting; and

(d) the reasons for refusing permission to start its manufacture in the country?

The Minister of Industry (Shri D. Sanjivayya): (a) to (d). No proposal has been received in the recent past for the manufacture of conveyer belting. This industry is, however, on the 'banned' list for the purpose of further licensing, as sufficient capacity has been licensed.

(c) Import figures for conveyer belting during the last three years are as under:—

Year	Value
1963-64	Rs. 33.85 lakhs
1964-65	Rs 26.27 lakhs
1965-66	Rs. 12.92 lakhs

Recovery of Export Earnings from Pakistan

***657. Shri Subodh Hansda:**
Shri S. C. Samanta:
Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Dr. M. M. Das:

Will the Minister of **Commerce** be pleased to refer to the reply given to Starred Question No. 703 on the 26th August, 1966 and state:

(a) the steps since taken to recover the arrears of export earnings from Pakistan; and

(b) the outcome thereof?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). It is not possible at this stage to take any further steps to recover the balance of arrears of export earnings from Pakistan since trade with that country has still not been resumed.

Surgical Equipments

***658. Shri Maheswar Naik:** Will the Minister of **Industry** be pleased to state:

(a) whether the Minister of Health and Family Planning in her inaugural speech while opening the mobile educational seminar on surgery sponsored by the Pan-Pacific Surgical Association opined that India is facing acute dearth of uptodate surgical equipments to the detriment of the interest of the people in the country;

(b) if so, how the shortage is going to be met; and

(c) whether indegenious industries with or without foreign collaboration for the manufacture of these equipments are being contemplated to meet the shortage?

The Minister of Industry (Shri D. Sanjivayya): (a) Yes, Sir.

(b) For the requirements of medical profession for specialised surgical instruments which are not at present available, the present policy is that any medical practitioner can import surgical instruments for a value of Rs. 500 and any Medical Institution can import up to a value of Rs. 1000.

(c) A Surgical Instruments Plant has been set up at Madras in the Public Sector with Russian assistance. The project was commissioned to operate from 1st September, 1965. A number of surgical instruments, mostly common user items, are now under production. Three units in the private sector have been granted provisional registration for manufacture of various types of surgical instruments. It is expected that major portion of the requirements of surgical instruments would be manufactured in the country by the end of the current plan period. Some imports may, however, continue particularly of highly specialised and sophisticated types for which there may not be large demand in numbers to undertake the economic manufacture thereof?

European Common Market

***659. Shri P. C. Borooah:** Will the Minister of **Commerce** be pleased to state:

(a) whether Government's attention has been drawn to the reports that British Prime Minister, Mr. Harold Wilson is now keen on U.K.'s entry into the E.C.M.; and

(b) if so, the steps taken by Government for the protection of Indian export trade in the event of this proposal materialising?

The Minister of Commerce (Shri Manubhai Shah): (a) Yes, Sir. The Government have seen reports of the statement made by British Prime Minister, Mr. Wilson, that the British Government have decided to make a new high level approach to the EEC to see whether conditions exist—or do not exist—for fruitful negotiations, and the basis on which such negotiations could take place.

(b) The purpose of such an approach is to establish whether it appears likely that essential British and Commonwealth interests could be safeguarded if Britain joins the EEC. The Government of India are keeping themselves informed of developments in the matter and will take into account the course of consultations with Commonwealth Governments which the British Government would be undertaking. The precise nature and the extent of the effects on India's foreign trade will obviously depend on the terms and conditions of Britain's accession to the ECM and the safeguards that would be provided to the trade interests of other Commonwealth countries.

Tea Plantations in Kangra

***660. Shri Hari Vishnu Kamath:** Will the Minister of **Commerce** be pleased to state:

(a) whether it is fact that the Kangra Tea Planters Supply and Marketing Industrial Cooperative Society Ltd. has represented to Government that Kangra Valley teas be exempted from the perview of the Prevention of Food Adulteration Act, till such time as, after proper analysis, a separate standard is fixed for those teas;

(b) whether the said representation has been considered; and

(c) if so, the result thereof?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). Yes, Sir.

(c) Separate standards cannot be prescribed in different areas because it will not be possible to identify the garden of origin of the tea at the time it reaches the consumer. The problem is, therefore, of finding a suitable specification for all teas grown in India including those in Kangra, keeping in view the reputation which Indian tea has earned for its quality. The matter is being considered by the Central Committee of Food Standards.

Halt at Telwa Bazar on Eastern Railway

2877. Shri Lakhan Das:
Shri Madhu Limaye:

Will the Minister of **Railways** be pleased to state:

(a) whether Government have received a fresh representation about having a halt at Telwa Bazar, near Simultala, Eastern Railway (Main Line) on at least an experimental basis; and

(b) if so, the reaction of Government thereto?

The Deputy Minister in the Ministry of Railways)Shri Sham Nath): (a) No.

(b) Does not arise.

Republic Forge

2878. Shri Madhu Limaye: Will the Minister of **Industry** be pleased to state:

(a) whether it is a fact that Republic Forge is a Teja concern or that he is associated with it;

(b) whether any irregularities/malpractices in the working of this company have come to light recently;

(c) if so, their nature; and

(d) the remedial action, if any, planned to protect the public interests; including the interests of the shareholders?

The Minister of Industry (Shri D. Sanjivayya): (a) Dr. Dharma Teja was associated with this Company as Chaiman from 20-4-63 to 3-4-66.

(b) and (c). Yes. The irregularities reported relate to the allotment of some shares (i) before receipt of the stipulated payments and (ii) without the prior permission of the Reserve Bank of India as required under the Foreign Exchange Regulations.

(d) No capital of this company has been issued to the public so far. It is understood that the company is pre-

sently making efforts to put itself on a sound footing.

Retrenchment of Technical Staff in Railways

2879. Shri M. R. Krishna:
Shri Madhu Limaye:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that under the retrenchment scheme, the Railway Ministry contemplate to discharge some of the Assistant Inspectors of Works and Assistant Permanent Way Inspectors;

(b) whether it is a fact that most of them have put in 2 to 4 years of service and have also done the 3-year Diploma Course in Civil Engineering after passing the S.S.C. Examination;

(c) whether it is also a fact that they were selected by the Railway Service Commissions and they were also given stipend by the Railways for the period of their training; and

(d) if so, whether Government propose to take steps to see that such young technical staff are not retrenched?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) There is no such retrenchment scheme in the Ministry of Railways.

(b) to (d). Do not arise.

Transfer of Railway Employees

2880. Shri M. R. Krishna:
Shri Madhu Limaye:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that some of the Booking Clerks, Ticket Collectors and Luggage clerks of the Bombay Section of the Central as well as Western Railways were transferred to other stations because they had remained at the same station for more than five years and in some cases even for more than ten years;

(b) whether it is a fact that orders for their transfer were passed some months/years back, but they have not yet been relieved; and

(c) if so, the reasons therefor?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) and (c). In the case of Western Railway, orders of transfer were issued in July, 1966, but in some cases, staff could not be relieved in the exigencies of work. However, the Western Railway Administration are issuing instructions that the remaining staff should be relieved without delay.

Training of Assistant Inspectors of Works

2831. Shri M. R. Krishna:
Shri Madhu Limaye:

Will the Minister of **Railways** be pleased to state:

(a) the number of Assistant Inspectors of Works and Assistant Permanent Way Inspectors who have received training at Railway expense but have not been offered employment;

(b) the number out of them who have passed the Diploma Examination held after 3 years' Civil Engineering Course; and

(c) the approximate cost for each trainee incurred by the Railways in giving them training?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Only 38 Assistant Inspectors of Works on the South Eastern Railway and 8 Assistant Permanent Way Inspectors on the Western Railway.

(b) Nil.

(c) Rs. 3,540 approximately per Assistant Inspector of Works;

Rs. 8:345 approximately per Assistant Permanent Way Inspector.

T.T.Es. attached to Sleeper Coaches

2882. Shri M. R. Krishna:
Shri Madhu Limaye:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Railway Board have ordered in their letter No. 66/TG-1139 dated 22nd December, 1965 that no sleeper coach should run without a T.T.E.

(b) whether it is a fact that Railway Board have also issued orders on the 4th February, 1966 and on the 4th August, 1966 fixing certain percentage of T.Cs. and T.T.Es. for this purpose;

(c) whether it is also a fact that on the Bombay Section of the Western and Central Railways the percentages fixed by the Railway Board are not yet sanctioned and on account of this, the regular checking staff have been diverted for managing the sleeper coaches resulting in reduction in the strength of such staff on passenger trains, leading to an increase in ticketless travel and loss in revenue; and

(d) if so, action taken in the matter?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) Yes.

(c) and (d). Information is being collected and will be laid on the Table of the Sabha.

Handloom Board

2883. Shri Ram Harkh Yadav: Will the Minister of **Commerce** be pleased to state:

(a) whether Government have reconstituted the Handloom Board recently; and

(b) if so, the details thereof?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). The All India Handloom Board, Bombay was last reconstituted in January 1963. Its term of office was extended since then from year to year. Recently its term was extended for one more year with effect from 27th January, 1967.

रेलवे समय सारणी

2884. श्री रणंजय सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अखिल भारतीय रेलवे समय सारणी के हिन्दी में प्रकाशन की व्यवस्था है; और

(ख) यदि नहीं, तो इसको हिन्दी में कब प्रकाशित करने का विचार है ?

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) और (ख) जी हां "रेलवे टाइम टेबल आफिस वाराणसी" नाम की एक गैर सरकारी एजेंसी द्वारा हिन्दी में अखिल भारतीय रेलवे समय-सारणी बिक्री के लिए प्रकाशित की जाती है। रेलवे बोर्ड द्वारा भी अखिल भारतीय समय-सारणी की कुछ प्रतियां हिन्दी में प्रकाशित की जाती हैं जो सरकारी उपयोग के लिए होती हैं। इसकी प्रतियां उन संसद सदस्यों और राष्ट्रीय रेल उपयोगकर्ता सलाहकार परिषद के सदस्यों को मानार्थ दी जाती हैं, जो अंग्रेजी की अपेक्षा हिन्दी की प्रति लेना पसन्द करते हैं।

Introduction of Additional Bogies on Andal-Sainthia Section

2885. Dr. Saradish Roy: Will the Minister of **Railways** be pleased to state:

(a) whether Railways have decided to introduce six bogies instead of four on the Andal-Sainthia Section of the Eastern Railway;

(b) if so, when it will be implemented; and

(c) if not, the reasons therefor?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) No.

(b) Does not arise.

(c) With effect from 1-7-66, the loads of trains on Anda-Sainthia section have been augmented by an additional third class coach. An analysis of utilisation of these services, which are at present running with 5 bogies, has revealed that there is no traffic justification for further augmenting their loads to 6 bogies.

Ahmadpur-Katwa Light Railway

2886. **Dr. Saradish Roy:** Will the Minister of **Railways** be pleased to state:

(a) whether Railways have considered the proposal to take up the management of Ahmadpur-Katwa Light Railways; and

(b) if so, when the management will be taken up?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) and (b). The question of taking over the management of the line is receiving the attention of the Government.

Flour Mills in Haryana

2887. **Shrimati Jyotsna Chanda:** Will the Minister of **Industry** be pleased to refer to the reply given to Unstarred Question No. 1901 on the 18th November, 1966 and state:

(a) the names of the Flour Mills in Haryana, whose milling capacity had been determined by the agency of the Ministry of Food and Agriculture as 3,000 tons and above per month as a result of the actual trial production, but they have not been recognised so far for the allotment of optimum monthly quota of wheat for grinding purposes in accordance therewith;

(b) the reasons therefor; and

(c) the norms, if any, laid down for determining the licensing capacity of a flour mill for the allotment of wheat for milling purposes?

The Minister of Industry (Shri D. Sanjivayya): (a) 1. Messrs. Seth Ram Narain Roller Flour Mills, Bahadurgarh; and 2. Messrs. Capital Flour Mills, Faridabad, have submitted applications for the grant of carrying on business licences under the Industries (Development and Regulation) Act, 1951 for the manufacture of wheat products. The case of Messers. Seth Ram Narain Roller Flour Mills has been finalised and a licence is being issued in their favour. In the case of Messrs. Capital Flour Mills, however, they have been able to establish the mill only in June, 1966. They had permission for a capacity of 1250 tonnes per month but have now asked for enhancement of their capacity to 4600 tonnes per month. A case for breach of Import Trade Regulations against this party is being investigated by the Chief Controller of Imports and Exports. Their application for enhancement of capacity is being examined in consultation with the concerned authorities.

(b) and (c). Do not arise.

Rent for Railway Plots on Agra-Bayana Section

2888. **Shri S. N. Chaturvedi:** Will the Minister of **Railways** be pleased to state:

(a) whether rent for Railway Plots used for stacking outward goods has been raised from Rs. 18 to 75 on the Agra-Bayana section of the Western Railway;

(b) whether a cess charge of Rs. 7.20 is also being levied for light, water and conservancy facilities even where they do not exist; and

(c) if so, what is the justification for this levy and what has been Government's decision on the representations received in this regard?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) No.

(c) As per extant rules, land rent is revised quinquennially based on the

valuation obtained from local Revenue authorities. However, in the instant case, the matter is under further consideration in view of the representations from the plot holders.

गुना-शाहजहांपुर-मक्सी रेलवे लाइन

2889. **श्री राधेलाल व्यास :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) गुना–शाहजहांपुर–मकसी रेलवे लाइन के निर्माण का कार्य किस तारीख को आरम्भ किया गया था;

(ख) इस कार्य के पूरा होने की निर्धारित तिथि क्या है;

(ग) इस निर्माण कार्य में कितने रेलवे कर्मचारी तथा अधिकारी लगे हुए हैं तथा इस लाइन पर से निर्माण सम्बन्धी कितना सामान हटा कर दूसरी रेल लाइनों पर इस्तेमाल के लिए भेजा गया है;

(घ) इस लाइन के काम की धीमी प्रगति के क्या कारण है; और

(ङ) यह कार्य कब तक पूरा हो जाने की संभावना है तथा यह लाइन माल और यात्री यातायात के लिए कब तक खुल जायेगी ?

रेलवे मंत्रालय में उपमंत्री (श्री शाम नाथ) : (क) अक्तूबर, 1962।

(ख) दिसम्बर, 1969, लेकिन धन की उपलब्धता पर निर्भर करता है ।

(ग) जब काम शुरू किया गया था तब राजपत्रित कर्मचारियों की संख्या इस प्रकार थी :—

उप मुख्य इंजीनियर	1
कार्यकारी इंजीनियर	3
सहायक इंजीनियर .	6
सहायक चिकित्सा अधिकारी .	2

लेकिन धन की कमी के कारण इंजीनियरिंग विभाग में अधिकारियों की संख्या घटा कर 4 कर दी गयी है (एक कार्यकारी इंजीनियर और तीन सहायक इंजीनियर) और एक सहायक चिकित्सा अधिकारी रहने दिया गया है । अराजपत्रित कर्मचारियों की सख्या नीचे दी गयी है :—

श्रेणी III .	लगभग 172
श्रेणी 4 .	लगभग 175 और
नैमित्तिक मजदूर .	326

इस्तेमाल में आने वाले कुछ सामानों जैसे सीमेन्ट, औजारों और संयंत्र के अलावा कोई निर्माण सम्बन्धी सामान दूसरी रेल लाइनों पर नहीं भेजा गया है ।

(घ) धन की कमी और कुछ ठेकेदारों की चूक के कारण काम की प्रगति धीमी हो गयी है ।

(ङ) कृपया उपर्युक्त (ख) का उत्तर देखें ।

Allotment of Cars to M.Ps.

2890. Shri S. M. Banerjee:
Shri Daji:

Will the Minister of **Industry** be pleased to state:

(a) whether some Members of Parliament have been issued permits to purchase Fiat Cars more than once during the last two years;

(b) whether it is the firm Government policy not to issue a second permit to a Member till two years have elapsed; and

(c) the names and particulars of the Members referred to in part (a) above?

The Minister of Industry (Shri D. Sanjivayya): (a) Two M.Ps. have been issued permits to purchase Fiat Cars more than once since the 1st January 1964.

(b) Normally a new Fiat Car is not allotted to any M.P. before the expiry of two years from the date of purchase of the earlier car. Relaxa-

tions are, however, made in exceptional circumstances, for instance, when the earlier car is involved in a serious accident and badly damaged or is stolen or is found to have serious defects.

(c) The names of the M.Ps. referred to in part (a) above are Shri Abdul Ghani Dar and Shri Om Mehta. Shri Abdul Ghani Dar purchased a Fiat Car against an allotment from the Central Government quota in March 64. He represented in May 65 that the car had several manufacturing defects and had been giving him trouble ever since he purchased it. He was accordingly allotted another Fiat Car from the Central Government quota in October 1965 and also permitted to sell the previous car. Shri Om Mehta purchased a Fiat Car against an allotment from the Central Government quota in May 1965. This car met with a serious accident resulting in heavy damage to the car. As a replacement was considered justified in his case, he was allotted another Fiat Car in November this year.

M/S. Bharat Barrel and Drum Manufacturing Co. Ltd., Bombay

2891. Shri S. M. Banerjee: Will the Minister of **Supply, Technical Development and Materials Planning** be pleased to state:

(a) whether a concern known as M/s. Bharat Barrel and Drum Manufacturing Co. Pvt. Ltd., Bombay was black-listed in 1964;

(b) whether Government quota of raw material is still being issued to this firm; and

(c) if so, reasons therefor?

The Minister of Supply, Technical Development and Materials Planning (Shri Raghu Ramaiah): (a) Yes, Sir. The firm was black-listed in 1964 by the Ministry of Iron and Steel.

(b) Yes.

(c) An order of black-listing under the existing code involves immediate cessation of all future business with the firm by all Departments of the Government of India; but the code also lays that the supplies of controlled raw materials will not be denied to the black-listed firm.

Royal Agricultural Show in Kenya

2892. Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri P. C. Borooah:
Dr. M. M. Das:

Will the Minister of **Commerce** be pleased to state:

(a) whether Government participated in the Royal Agricultural Show in Kenya held in the last week of September, 1966;

(b) if so, what were the Indian exhibits at the show;

(c) whether this has helped to secure orders for agricultural products for export; and

(d) if so, the total quantity of orders for agricultural products obtained?

The Minister of Commerce (Shri Manubhai Shah): (a) Yes.

(b) Machinery and engineering goods, especially for use in agriculture, electrical appliances, manufactured consumer goods, textiles, both powerloom and handloom,, tinned foods and fruits, condiments, raw materials and semi-finished goods etc. were displayed at the 'India Pavilion' at the Agricultural Show with an eye not only on the Kenyan market but also on the markets in the adjoining countries.

(c) and (d). Participation in the Show yielded orders for the supply of agricultural implements, handtools, automobile parts to the value of Rs. 4.41 lakhs. Besides several trade enquiries on the various products disployed at the 'India Pavilion' were receivad and it hoped that substantial additi. nal business would result.

Dead Body in Compartment of the Howrah-Madras Express

2893. **Shri Bagri:**
Shri Yashpal Singh:
Shri Ram Sewak Yadav:

Will the Minister of **Railways** be pleased to refer to the reply given to Unstarred Question No. 4193 on the 2nd September, 1966 and state:

(a) whether the investigation into the recovery of the dead body of a woman in a compartment of the Howrah-Madras Express on the 8th August, 1966 has since been completed; and

(b) if so, the result thereof?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) The Investigating Officer of the C.I.D. Hyderabad arrested one accused person. The gold jewellery worth Rs. 480 which removed from the deceased woman has been recovered in full. The police have chargesheeted the accused under sections 302 (Murder) and 404 I.P.C. and the case is under trial in court, therefore, is *sub-judice*.

S.Ms. and A.S.Ms. on Southern Railway

2894. **Shri Bagri:**
Shri Yashpal Singh:
Shri Ram Sewak Yadav:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that Station Masters and Assistant Station Masters on the Southern Railway have sent representations regarding their seniority; and

(b) if so, the action taken thereon?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) The matter is under consideration of the Railway Board.

Ticket Collectors Grade II in Delhi Division of the N. Rly.

2895. **Shri Bagri:**
Shri Yashpal Singh:
Shri Ram Sewak Yadav:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that there are many vacancies of Ticket Collectors Grade II in the Delhi Division of the Northern Railway;

(b) whether these vacancies are not being filled in for the last one year and thereby the senior-most Ticket Collectors in the Division are being denied their rights for promotion to these posts; and

(c) if so, the steps proposed to be taken in this regard?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) No.

(b) and (c). Do not arise.

Rush in Punjab Mail

2896. **Shri Bagri:**
Shri Yashpal Singh:
Shri Ram Sewak Yadav:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that there is a great rush on the Punjab Mail running between Delhi and Ferozepur; and

(b) if so, whether Government propose to run an additional Punjab Mail to relieve the rush oh the Punjab Mail on this Section?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) and (b). An analysis of utilisation of 37 UP|38 Dn. Punjab Mails on Delhi-Ferozepur section as per April 1966 census has revealed some over-crowding and accordingly their loads have been augmented by two third class coaches to relieve this over-crowding. Running of an additional train is not operationally feasi-

ble at present for want of spare line capacity on this section, and also requisite terminal facilities at Delhi|New Delhi.

Theft of Cash from Bikaner Rly. Station

2897. **Shri Bagri:**
Shri Yashpal Singh:
Shri Ram Sewak Yadav:

Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 3503 on the 26th August, 1966 and state:

(a) whether the case of theft of Rs. 15,713.29 paise at Bikaner Railway Station on the 8th August, 1966 has since been investigated;

(b) if not, the reasons therefor; and

(c) the steps taken to expedite the enquiry in the matter?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) and (b). The departmental enquiry has since been completed and suitable action is being taken against the Railway staff found negligent. The police investigations are, however, still in progress.

(c) The State Government Railway Police authorities have been requested to expedite the completion of investigation.

Underbridge connecting Mathura Raod with Green Field Colony in New Delhi

2898. **Shri Ram Sewak Yadav:**
Shri Bagri:
Shri Yashpal Singh:

Will the Minister of Railways be pleased to state:

(a) the progress so far made in constructing an under-bridge connecting the main Mathura Road with the Green Field Colony between Delhi and Faridabad;

(b) whether the actual work has been taken in hand; and

(c) if not, the reasons therefor?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) The revised estimate for the work was finalised by the Railway in June, 1966 but the Urban Improvement Company have deposited the necessary amount payable by them for this work in September, 1966. The work has since been sanctioned and necessary tenders for its execution are now being finalised by the Railway.

(b) No.

(c) Does not arise in view of (a) above.

Contribution of Industrial Estates

2899. **Shri H. C. Linga Reddy:**
Shri P. R. Chakraverti:
Shri Vishwa Nath Pandey:

Will the Minister of Industry be pleased to state:

(a) the numer of Industrial Estates started in the country up to the end of the Third Plan period and the amount invested over them;

(b) the extent to which they have contributed to the industrial growth and to solve the unemployment problem; and

(c) the programme of setting up Industrial Estates in the Fourth Plan period?

The Minister of Industry (Shri D. Sanjivayya): (a) 283 Industrial Estates had been completed by the end of IIIrd Plan of which 198 had started working and Rs. 38.27 crores have been spent by the Government on these Industrial Estates upto the end of the Plan period.

(b) Annual Industrial production of these estates is of the order of Rs. 67 crores and their employment as on 31st March, 1966 was 54,651 persons.

(c) About 700 Industrial Estates of varying sizes are proposed to be set up all over the country during the IVth Plan.

Watch Factory at Bangalore

2900. **Shri H. C. Linga Reddy:**
Shri P. R. Chakraverti:
Shrimati Savitri Nigam:
Shri Vishwa Nath Pandey:

Will the Minister of **Industry** be pleased to refer to the reply given to Starred Question No. 697 on the 26th August, 1966 and state:

(a) whether arrangements are being made to make the Watch Factory at Bangalore work at full capacity;

(b) the number of watches manufactured during the Third Plan period;

(c) the profits made by the factory so far, the number of persons employed, the investment made in the factory during the above period; and

(d) whether any target of production is fixed each year and if so, the details thereof for the last three years together with figures of actual production?

The Minister of Industry (Shri D. Sanjivayya): (a) In view of the restricted availability of foreign exchange for the import of components and raw materials, it has not been possible to run the watch factory at full capacity.

(b) 5,78,761.

(c) Profits earned by Hindustan Machine Tools Ltd., are published in the Profit and Loss Accounts and Balance sheets of the Company. Such profits have not been published product-wise. The number of employees in the watch factory is 1113. Investments made therein so far are Rs. 205 lakhs on fixed assets and Rs. 561 lakhs on current assets.

(d) Yes, Sir. The targets of production and actual production during the last three years are as under:

Year	Target of production	Actual production
1963-64	1,30,000 nos.	1,21,602 nos.
1964-65	2,40,000 nos.	1,95,048 nos.
1965-66	3,00,000 nos.	1,96,110 nos.

Increase in the cost of Industrial Projects

2901. **Shri Subodh Hansda:**
Shri S. C. Samanta:
Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Dr. M. M. Das:

Will the Minister of **Industry** be pleased to state:

(a) whether there is any increase in the cost of industrial projects which were taken up during the Third Five Year Plan due to devaluation;

(b) if so, the state undertakings which will be affected as a result of devaluation; and

(c) whether this would also lead to delay in commissioning of these projects?

The Minister of Industry (Shri D. Sanjivayya): (a) to (c). The information is being collected and will be laid on the Table of the House.

Hindustan Machine Tools, Ltd.

2902. **Shri Suubodh Hansda:**
Shri S. C. Samanta:
Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Dr. M. M. Das:

Will the Minister of **Industry** be pleased to state:

(a) whether the Hindustan Machine Tools, Ltd proposes to substitute its imported spare parts by indigenous spare parts;

(b) if not, whether the Hindustan Machine Tools will be able to keep its prices at pre-devaluation level; and

(c) whether this would lead to any loss on the sale of its products?

The Minister of Industry (Shri D. Sanjivayya): (a) Hindustan Machine Tools Ltd., are fully equipped to manufacture machined spare parts required for their plant machinery. There are, however, some proprietory

items such as precision ball bearings, oil seals, clutches, electrical relays, which are not yet manufactured in the country and which have to be imported. Similarly raw materials like special alloy steels have to be imported. The Company are making efforts to achieve a high degree of self-sufficiency in the matter of raw materials and components.

(b) No, Sir. To the extent the cost of imported components and raw materials have increased as a result of the devaluation, the Company have to increase prices of their products to maintain profitability at a reasonable level. They have been obliged to make such increases from August 1966.

(c) Does not arise.

Century Flour Mills

2903. **Shrimati Renu Chakravartty:** Will the Minister of **Industry** be pleased to state:

(a) whether it is a fact that in the recent collaboration agreement between the Century Flour Mills and the National Biscuit Co., U.S.A. there is no firm export guarantee; and

(b) the reasons for not obtaining clear guarantee in this regard?

The Minister of Industry (Shri D. Sanjivayya): (a) and (b). In the Government's approval accorded to the collaboration arrangement, it has already been stipulated that the Government have noted that M|s. Century Flour Mills Ltd. will export biscuits to the extent of Rs. 20 lakhs in the course of seven years from the commencement of production and that the export of biscuits should cover the outflow of foreign exchange on account of dividends.

Cotton Buffer Stock Association

2904. **Dr. M. M. Das:**
Shri B. K. Das:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri D. C. Sharma:

Will the Minister of **Commerce** be pleased to state:

(a) whether an agency under the name "Cotton Buffer Stock Association" is going to be set up shortly to impart stability to the price of the Indian cotton;

(b) if so, how the cotton cultivators are going to be benefited by this organisation; and

(c) whether Government propose to set up a similar Organisation for stabilising raw jute price also?

The Minister of Commerce (Shri Manubhai Shah): (a) The proposal to set up a Cotton Buffer Stock Association is not being pursued.

(b) Does not arise.

(c) A Jute Buffer Stock Association, set up by the jute industry, is already in existence from 1962.

कानपुर-बान्दा ब्रांच लाइन पर एक्सप्रेस रेलगाड़ी

2905. श्री म० ला० द्विवेदी :
श्री सुबोध हंसदा :
श्री भागवत झा आज़ाद :
श्री स० चं० सामन्त :
डा० म० मो० दास :
श्री प्र० चं० बरुआ :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश रेलवे की कानपुर-बांदा ब्रांच लाइन पर चलने वाली एक्सप्रेस रेलगाड़ी को लखनऊ-बांदा एक्सप्रेस रेलगाड़ी में बदलने के बारे में क्या कठिनाई है;

(ख) क्या इस रेलगाड़ी के दो अथवा तीन अतिरिक्त स्टेशनों पर रुकने

के बारे में मांग प्राप्त हुई है और यदि हां, तो इस बारे में क्या निर्णय किया गया है ; और

(ग) क्या उक्त रेलगाड़ी के आने-जाने के समय यात्रियों के लिये उपयुक्त नहीं है और यदि हां, तो इस रेलगाड़ी के समय को ठीक निश्चित करने के लिये रेलवे प्रशासन को क्या कठिनाई अनुभव हो रही है ?

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) 2.10.1966 से नं० 109 डाउन 110 अप बांदा-कानपुर एक्सप्रेस गाड़ियों का आना-जाना लखनऊ तक बढ़ा दिया गया है ।

(ख) इन एक्सप्रेस गाड़ियों को कठारा रोड, भीमसेन और सिरही इतारा स्टेशनों पर ठहराने की मांग को स्वीकार नहीं किया गया है क्योंकि ऐसा करने से गाड़ियों को अधिक जगह रुकना पड़ेगा और इन स्टेशनों के यातायात को देखते हुए ऐसा करने का औचित्य नहीं है । साथ ही, ऐसा करने से इन तेज गाड़ियों की यात्रा में लगने वाला समय बढ़ जायेगा और जिस उद्देश्य को लेकर ये गाड़ियां चलायी गयी हैं, वह पूरा नहीं होगा और उनके एक्सप्रेस गाड़ी कहलाने का कोई अर्थ नहीं रह जायेगा ।

(ग) इन एक्सप्रेस गाड़ियों का आना-जाना लखनऊ तक बढ़ाने के अलावा, एक संसद् सदस्य द्वारा अन्य बातों के साथ-साथ जो मांग की गयी थी, उसके अनुसार इन गाड़ियों के समय में भी 2–10–1966 से समुचित संशोधन कर दिया गया है और कानपुर में यात्रियों के लिए अधिक उपयुक्त मेल की व्यवस्था की गयी है । इस बात का भी ध्यान रखा जा रहा है कि संशोधित समय उपयुक्त है या नहीं और इस सम्बन्ध में जो भी कारंवाई व्यावहारिक और उचित होगी, की जायेगी ।

आयातित वस्तुओं का सरकारी कार्यालयों द्वारा इस्तेमाल

2906. श्री म० ला० द्विवेदी :
श्री सुबोध हंसदा :
श्री भागवत झा आजाद :
श्री स० चं० सामन्त :
श्री प्र० चं० बरुआ:
डा० म० मो० दास :

क्या सम्भरण, तकनीकी विकास तथा सामग्री आयोजन मंत्री यह बताने की कृपा करेंगे कि

(क) भारत सरकार के विभिन्न मंत्रालयों तथा विभागों की विभिन्न प्रकार की मांगों को पूरा करने के लिये पिछले एक वर्ष में कितनी मात्रा में तथा कितने मूल्य का सामान तथा अन्य उपकरण आयात किये गये ;

(ख) क्या आयात किये गये उक्त सामान की सूची सभा-पटल पर रखी जाएगी;

(ग) उन मंत्रालयों तथा विभागों के नाम क्या हैं, जो केन्द्रीय सरकार की नीति के विपरीत देश में बनी हुई वस्तुओं की अपेक्षा विदेशी वस्तुओं की सप्लाई का आग्रह करते हैं ; और

(घ) जो सामान सरकारी क्षेत्र में बनाया जाता है, वैसे ही सामान को विदेशों से खरीदने के क्या कारण हैं ?

सम्भरण, तकनीकी विकास तथा सामग्री आयोजना मंत्री (श्री के० रघुरामय्या) : (क) और (ख). सभा-पटल पर एक सूची रखी जाती है (पुस्तकालय में रखी गई । देखिए संख्या एल० टी०7499/66/) 1965–66 में पूर्ति और निपटान महा निदेशालय तथा लंदन और वाशिंगटन के भारत पूर्ति मिशनों द्वारा आयातित वस्तुओं के लिए दिए गए आर्डरों का मूल्य, वस्तुओं

के मुख्य वर्गों के आधार पर वर्गीकृत रूप में दिया गया है ।

(ग) ऐसा कोई मामला ध्यान में नहीं आया है ।

(घ) प्रश्न उत्पन्न नहीं होता ।

Assurances for maintaining prices

2907. Shri Madhu Limaye:
Shri Kishen Pattnayak:

Will the Minister of **Commerce** be pleased to refer to the reply given to Unstarred Question No. 1529 on the 5th August, 1966 and state:

(a) which of the manufacturers who gave an assurance to the Prime Minister "that they will maintain the prices of their products inspite of the devaluation" have not kept this assurance and have increased their prices;

(b) the position in respect of price-rise at present; and

(c) whether Government are satisfied that the consumers were freely getting these products on the 2nd July, 1966 at the prices mentioned in the reply to the question referred to above?

The Minister of Commerce (Shri Manubhai Shah): (a) As per assurances given, for about 2 months following devaluation, the manufacturers by and large, maintained the prices.

The important changes that have since taken place are as follows:

The Manufacturers of Vanaspati and toilet/washing soap and cotton textiles revised their prices upwardly with effect from 19th August, 1966, 8th September, 1966 and 1st October, 1966 respectively.

Vanaspati manufacturers however brought down the prices with effect from 1st October, 1966 which more or less neutralised the increase which took place from 15th August, 1966. Again from 1st November, 1966 a further price reduction was made in November, 1966 by about 25 paise per Kg. in all the 4 zones—North, South, East and West.

Soap manufacturers have also reduced the prices from 15th November, 1966 by 20 paise per Kg. on toilet soap and 12 paise per Kg. on washing soap though this has not neutralised the recent price increase.

As regards cotton textiles Government agreed to the upward revision of prices by manufacturers on controlled categories of cloth to the extent of 6 per cent due to increased cost of production. It has, however, at the same time been decided to withdraw the excise duty on *dhoties*, *sarees* and other popular varieties to cushion the price increase so that prices to be paid by the consumer would go up by 3 to 5 per cent.

(b) A statement showing the wholesale prices of selected commodities for the country as a whole and retail prices of selected commodities in Delhi is laid on the Table of the House. [*Placed in Library. See* No. LT-7500/66].

(c) While there have been some reports of shortages in some of the commodities occasionally at certain places, these were generally available to the consumers at the prices referred to in the statement.

Neyveli Thermal Power Station

2908. Shri Yashpal Singh: Will the Minister of **Mines and Metals** be pleased to state:

(a) whether the Neyveli Thermal Power Station is going to be constructed according to the schedule; and

(b) if so, when the project would be completed?

The Minister of Mines and Metals (Shri S. K. Dey): (a) The Neyveli Thermal Power Station is already in operation. Presumably, the Hon'ble Member is referring to the third stage of its expansion. This is expected to be completed according to schedule.

(b) It is expected to be completed by March, 1969.

Overbridge at Railway crossing on Mehrauli Road, New Delhi

2909. **Shri Yashpal Singh:** Will the Minister of **Railways** be pleased to refer to the reply given to Unstarred Question No. 393 on the 26th February, 1965 and state:

(a) whether the work on the construction of an overbridge at the railway crossing on Mehrauli Road near Safdarjang Aerodrome has been started; and

(b) if not, the reason for the delay?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) No.

(b) The original plan provided for the construction of an underbridge. Detailed survey and investigation showed that the level of sub-soil water at the site was very high, leading to special problems of foundations. The original estimate for construction of an underbridge has, therefore, been very much exceeded. In view of this, the question whether an overbridge may be constructed instead is receiving attention.

The construction of an underbridge may take several years but if it is eventually decided to have an overbridge, the cost as well as the time required will be considerably reduced.

Subsidy for Export of Plastic Goods

2910. **Dr. M. M. Das:**
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of **Commerce** be pleased to state:

(a) whether Plastic goods are exported from India;

(b) whether subsidy to the extent of 120 p.c. is given by Government for this export; and

(c) if so, the justification of giving such a high subsidy?

The Minister of Commerce (Shri Manubhai Shah): (a) Yes, Sir.

(b) No, Sir.

(c) Does not arise.

Foreign Collaboration

2911. **Dr. M M. Das:**
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of **Industry** be pleased to state:

(a) the number of industrial concerns set up in the country after independence in collaboration with foreign firms and Governments in the private and the public sector separately;

(b) the amounts of foreign capital invested in these companies in the private and public sectors separately; and

(c) how many of them are exporting their finished products?

The Minister of Industry (Shri D. Sanjivayya): (a) to (c). Information was furnished in fulfilment of the Assurance given in reply to Unstarred Question No. 1049 answered on the 12th March, 1965. There is no change in the position explained therein. The publication of the Survey undertaken by the Reserve Bank of India in this regard is likely to take a little more time.

Information regarding exporting firms is published from time to time in the Directory of Exporters.

Import of Raw Silk

2912 **Dr. M. M. Das:**
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:

Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of **Commerce** be pleased to state:

(a) whether about one hundred metric tonnes of Raw silk was imported into India in 1965-66 by the State Trading Corporation;

(b) if so, the special purpose, which could be served only by foreign raw silk and could not be served by indigenous raw silk; and

(c) the amount of foreign exchange spent for this particular import?

The Minister of Commerce (Shri Manubhai Shah): (a) to (c). Imported raw silk is required by zari manufacturers in Surat, broacade manufacturers of Varnasi and specialised sectors of weaving industry manufacturing superior quality fabrics meant for export. In the gold lace manufacture, high uniformity of sizes is called for in the raw silk to give a good finish to the gold lace extensively used in silk handloom weaving industry. The Banaras brocades which are woven with consumate skill require raw silk of high evenness without which such a costly material cannot come up to a high standard of finish and elegance.

Similarly the half fine sarees of Chanderi, Coimbatore woven with raw silk in the warp on handlooms and fine chiffons and georgettes woven on powerlooms cannot attain high standards using uneven indigenous raw silk, Imports are also needed to fill the gap between our demand and indigenous production. The S.T.C., therefore, arranged for the import of 13,164.52 kgs. of raw silk valued at Rs. 9,11.631.72 (c.i.) during the year 1965-66.

Train Service to and from Pandu Pindara (N. Rly.)

2913. Shri Maurya:
Shri Yashpal Singh:
Shri Bagri:
Shri Ram Sewak Yadav:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that thousands of passengers visiting Pandu Pindara on each *Amavas* have to face great difficulty in getting trains at Pandu Pindara (Jind-Panipat line); and

(b) if so, whether Government propose to attach some additional bogies to the trains and run some special trains on such occasions?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) and (b). The 'Mela' held at Pandu Pindara, on Jind-Panipat section, on each 'Amavas' of Bikrimi Month, is essentially local in character. The three trains each way, running on the section, have been found to cater adequately to those undertaking rail journeys for participating in the Mela. Augmentation of loads of these services, much less running of special trains on the occasion, is not justified.

Station Master at Pandu Pindara Station

2914. Shri Maurya:
Shri Yashpal Singh:
Shri Bagri:
Shri Ram Sewak Yadav:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that at Pandu Pindara Railway Station a Single Station Master has been deputed;

(b) whether it is also a fact that thousands of persons going there on every *Amavas* have to face a great difficulty in getting railway tickets;

(c) if so, whether Government propose to post some additional staff at that station; and

(d) if not, the reasons therefor?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag

Singh): (a) One Booking Clerk (and not a Station Master) has been provided.

(b) No. On Amavas day, additional staff is provided, including a Supervisory official.

(c) and (d). Do not arise.

Ticketless Travel to Pandu Pindara Station

2915. **Shri Maurya:**
Shri Yashpal Singh:
Shri Bagri:
Shri Ram Sewak Yadav:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that thousands of passengers going to Pandu Pindra on every *Amavas* travel without tickets;

(b) whether it is also a fact that Train Ticket Examiners collect money from such passengers but do not issue receipts; and

(c) if so, whether Government propose to hold an enquiry against the Train Ticket Examiners?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) and (b). No.

(c) Does not arise.

कानपुर में रेलवे पुलिस तथा एक पुलिस दल में झगड़ा

2916. **श्री हुकम चन्द कछवाय :**
श्री बड़े :

क्या **रेलवे** मंत्री 5 अगस्त, 1966 के अतारांकित प्रश्न संख्या 1427 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या उस मामले में जिसमें कानपुर में रेलवे पुलिस तथा एक पुलिस दल में भिड़न्त के परिणामस्वरूप दो व्यक्ति गिरफ्तार किये गये थे, जांच इस बीच पूरी हो गई है ;

(ख) यदि हां, तो उसके क्या निष्कर्ष निकले : और

(ग) यदि नहीं, तो इस मामले में और कितना समय लगने की संभावना है ?

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) जी हां, ।

(ख) मामला न्यायाधीन है क्योंकि जिन व्यक्तियों को गिरफ्तार किया गया था उन पर अदालत में मुकदमा चलाया जा रहा है ।

(ग) सवाल नहीं उठता ।

फाफामऊ के पास माल गाड़ी का पटरी से उतर जाना

2917. **श्री हुकम चन्द कछवाय :**
श्री बड़े :

क्या रेलवे मंत्री 5 अगस्त, 1966 के अतारांकित प्रश्न संख्या 1421 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या फाफामऊ के पास मालगाड़ी के पटरी से उतर जाने के बारे में जांच समिति का प्रतिवेदन प्राप्त हो गया है;

(ख) यदि हां, तो उसका ब्यौरा क्या है; और

(ग) यदि नहीं, तो इसके कब प्राप्त हो जाने की संभावना है ?

रेलवे मंत्रालय में उपमंत्री (श्री शाम नाथ) : (क) जी हां ।

(ख) दुर्घटना पटरी बिछाने में कुछ खराबी के कारण हुई ।

(ग) सवाल नहीं उठता ।

बरौनी रेलवे स्टेशन पर चोरी

2918. **श्री हुकम चन्द कछवाय :**
श्री बड़े :

क्या रेलवे मंत्री 5 अगस्त, 1966 के अतारांकित प्रश्न संख्या 1420 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या 12 अप्रैल, 1966 को बरौनी रेलवे जंकशन पर एक मालगाड़ी से

कपड़े की गांठों और घी के डिब्बों के मामले की जांच इस बीच पूरी हो गई है;

(ख) यदि हां, तो उसका ब्यौरा क्या है; और

(ग) यदि नहीं, तो इसमें कितना समय और लगेगा ?

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) जी हां ।

(ख) चूंकि गिरफ्तार किये गये व्यक्तियों को आरोप-पत्र देने के लिए पर्याप्त प्रमाण नहीं मिल सके इसलिए बरौनी की राज्य सरकारी रेलवे पुलिस ने जांच बन्द कर दी और अपनी अन्तिम रिपोर्ट पेश कर दी। लेकिन, रेलवे सुरक्षा दल के कर्मचारियों ने इस चोरी से सम्बन्धित 5000 रुपये की सम्पत्ति बरामद की ।

(ग) सवाल नहीं उठता ।

Show Rooms and Trade Centres

2919. **Shri S. C. Samanta:**
Shri M. L. Dwivedi:
Shri Subodh Hansda:
Shri Bhagwat Jha Azad:
Shri P. C. Borooah:
Dr. M. M. Das:

Will the Minister of **Commerce** be pleased to state:

(a) the number of Government Show-Rooms and trade centres, existing abroad;

(b) how many of them are linked with and supervised by our Embassies;

(c) the expenditure incurred on these during the last five years (year-wise); and

(d) the amount of orders received and supplied to customers through our Embassies?

The Minister of Commerce (Shri Manubhai Shah): (a) Eleven:

(b) Ten.

(c) and (d). Two statements are laid on the Table of the House. [*Placed in Library. See* No. LT-7501/66].

Enquiry office at Bhatinda Railway Station

2920. Shri Yashpal Singh: Will the Minister of **Railways** be pleased to state:

(a) whether there is an Enquiry Office at Bhatinda Railway Station;

(b) if so, the sanctioned strength of staff for the same and whether no enquiry clerk has permanently been posted there:

(c) whether the staff there are allowed special allowance admissible for Announcers at the Railway Stations; and

(d) if not, the reasons therefor?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes, an office has been set up on a temporary basis.

(b) No staff has so far been sanctioned for the Enquiry Office at Bhatinda but two Ticket Collectors are managing duties.

(c) No.

(d) Special pay is payable to persons who are exclusively employed as Announcers at stations where whole time announcers are justified and not to those who perform part time announcing work only.

Third Class Sleeper Coaches

2921. **Shri H. C. Linga Reddy:**
Shri P. R. Chakraverti:
Shrimati Savitri Nigam:
Shri Vishwa Nath Pandey:

Will the Minister of **Railways** be pleased to state:

(a) the number of 3rd class sleeper coaches in use at present on the Indian Railways; and

(b) whether it is proposed to increase their number every year and, if so, to what extent and when?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) The number of third class sleeper coaches in use at present on the Indian Railways is as under:—

B.G.	667
M.G.	370

(b) It is proposed to build 135 additional B.G third class sleeper coaches during 1967-68. Besides these, provision has been made tentatively for building 555 B.G. and 550 M.G. more third class sleeper coaches during the Fourth Plan Period.

Diesel Locomotives

2922. Shri H. C. Linga Reddy:
Shri P. R. Chakraverti:
Shri Vishwa Nath Pandey:
Shrimati Savitri Nigam:

Will the Minister of **Railways** be pleased to state:

(a) the extent to which diesel locomotives have replaced the coal engines on the Indian Railways;

(b) whether the same would be extended in the Fourth Plan period;

(c) if so, to what extent; and

(d) the comparative advantages of such replacements in cost, comfort and speed?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Dieselisation of through goods trains on a few routes was started in 1958 and progressively more and more sections have been so dieselised. With an increase in the diesel locomotive fleet from 171 in 1958 to 727 in 1966, the percentage of net tonne kilometers of freight traffic hauled by these locomotives to the total freight hauled has gone up from 4.2 per cent in 1958-59 to 33 per cent in 1965-66. The diesel locos are primarily intended for hauling through goods services. However, some selected passenger trains as detailed below have also been brought under diesel traction:

1. Howrah—Madras Mails.
2. Southern Express|De-luxe trains between Delhi and Madras.
3. Vrindavan Expresses between Madras and Bangalore.
4. Howrah-Kalka Mails between Howrah and Asansol and between Mughalsarai and Delhi.
5. Frontier Mails between Bombay and Delhi.
6. Howrah—Amritsar Mails.
7. Two pairs of long distance Narrow Gauge passenger trains between Nagpur and Nainpur and between Gondia and Jabalpur.

In addition, some suburban, services in Delhi area and all passenger trains on the hill Sections of Kalka-Simla and Neral—Matheran are being hauled by diesel locos.

(b) Yes, Sir.

(c) The progressive dieselisation of Railway traction has been programmed so as to maximise the output from diesel locomotives and keeping in view the availability of funds, indigenous capacity for the manufacture of Rolling Stock and other equipment etc.

(d) Diesel locomotives haul heavier loads at higher average speeds than steam. The use of diesel locomotives thus speeds up movements and increase the throughput generally which in turn increase the line capacity of the route. The cost of a diesel locomotive is, however, much more than of a steam locomotive. The costs of operation depends on various factors such as the characteristics of the section, the traffic density, the composition of the traffic, the cost of fuel and the services on which the locomotives are employed. The comparative costs would thus vary depending on such

factors as obtain on particular sections. However it may be stated that on sections dealing with high densities of traffic, diesel traction besides having operational advantages is generally more economical than steam operation.

Fertilizer Unit of the Rourkela Steel Plant

2923. **Shri S. C. Samanta:**
Shri Subodh Hansda:
Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Dr. M. M. Das:

Will the Minister of **Iron and Steel** be pleased to state:

(a) whether there is any prospect of a Naphtha Unit coming up soon at the Fertilizer Unit of the Rourkela Steel Plant;

(b) if so, whether global tenders have been invited for the supply of designs and erection of the unit; and

(c) how many firms have submitted their tenders and when the tenders will be opened and a final decision taken in this regard?

The Minister of Iron and Steel (Shri T. N. Singh): (a) to (c). For the Naptha Reforming Unit to be set up at the Fertilizer Unit of the Rourkela Steel Plant, tenders were invited from West German firms, Tenders were received from 3 firms and were opened on 31st March, 1966. The contract for the design, supply, erection, putting into operation and supervision of Civil Engineering works of the Naptha Reforming Unit has since been awarded, on the First August, 1966. The plant is expected to be commissioned by June, 1968.

Sale of Spurious Aerated Drinks by Railway Contractors on South-Eastern and Eastern Railways

2924. **Shri S. C. Samanta:**
Shri Subodh Hansda:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Dr. M. M. Das:
Shri P. C. Borooah:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that Railway Vigilance staff detected in October, 1965 some spurious aerated water factory in which the railway contractors of the South Eastern and Eastern Railways were involved;

(b) whether it is also a fact that 11 persons were arrested in this connection; and

(c) whether any enquiry was made and, if so, the result thereof?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) 12 persons were arrested in this connection, but one was discharged.

(c) Investigations were made with the help of the Detective Department of Calcutta Police and in September, 1966 chargesheet was filed against the 11 arrested persons in the Court under Section 120-B|420, 420 I.P.C. The case is *sub judice*.

Hindustan Machine Tools Ltd.

2925. **Shri S. C. Samanta:**
Shri Subodh Hansda:
Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Dr. M. M. Das:

Will the Minister of **Industry** be pleased to state:

(a) whether it is a fact that the Hindustan Machine Tools Ltd., are not working up to their full capacity at present;

(b) whether it is also a fact that a large number of machines remain unsold; and

(c) if so, whether their demand in the country has gone down?

The Minister of Industry (Shri D. Sanjivayya): (a) Yes, Sir.

(b) Yes, Sir. As on the 30th September, 1966, 489 machines valued at Rs. 246 lakhs were in stock;

(c) there appears to be no decline in the demand, as such. The real difficulty would appear to be scarcity of rupee finance.

Export of Heavy Machinery by Heavy Engineering Corporation, Ranchi

2926. Shri M. L. Dwivedi:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri P. C. Borooah:
Shri Bhagwat Jha Azad:
Dr. M. M. Das:

Will the Minister of **Industry** be pleased to state:

(a) whether it is a fact that the Heavy Engineering Corporation has received export orders from Asian and African countries for heavy machinery;

(b) if so, the amount of orders received and the names of countries from which they have been received; and

(c) whether the orders are on deferred payment basis and, if so, whether any agreement has been entered in this regard?

The Minister of Industry (Shri. D. Sanjivayya): (a) No, Sir.

(b) and (c). Do not arise.

Khadi and Village Industries Commission

2927. Shri M. L. Dwivedi:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri P. C. Borooah:
Shri Bhagwat Jha Azad:
Dr. M. M. Das:

Will the Minister of **Commerce** be pleased to state:

(a) whether Khadi and Village Industries Commission is paying any interest on loan to Government;

(b) if so, since when it is being paid;

(c) whether the repayment of loan to Government has been deferred; and

(d) if so, to what dates?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). All loans advanced to Khadi & Village Industries Commission carry interest at the normal rate prevailing at the time of sanction. In their turn, the Commission advance moneys to others. All interest received by the Commission during any year are credited to Government account. This has been the practice ever since 1960-61. It does happen that the total amounts realised and credited to Government account fall short of the interest due against loans advanced to the Commission by Government. This difference is made good by Government each year as a direct subsidy to the Commission.

(c) and (d). It has been decided that Government of India should provide the Commission with a 'Working Fund' which would be utilised for the execution of programmes for development of Khadi and Village Industries etc. The amount of 'Working Fund' will be linked to the level of production and sales achieved by the Commission. With this end in view, loans amounting to Rs. 34.05 crores have been renewed up to 30-9-1969 and a further sum of Rs. 9.995 crores has been renewed up 30-9-1970.

Das Committee on Handicrafts

2928. Shri M. L. Dwivedi:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri P. C. Borooah:
Shri Bhagwat Jha Azad:
Dr. M. M. Das:

Will the Minister of **Commerce** be pleased to state:

(a) whether the report of Das Committee on Handicrafts has been accepted by Government;

(b) the steps being taken to implement its recommendations; and

(c) whether this involves any financial implications and, if so, to what extent?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). The recommendations of Das Committee for boosting exports are being considered by Government and a decision will be taken as soon as possible.

(c) The financial implications in the implementation of the recommendations of the Das Committee would be about Rs. 10 crores—loans and grants during the 4th Plan period.

Khetri Copper Project

2929. Shri Bhagwat Jha Azad:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri M. L. Dwivedi:
Dr. M. M. Das:
Shri P. C. Borooah:

Will the Minister of **Mines and Metals** be pleased to state:

(a) whether the National Mineral Development Corporation, which is in charge of the Khetri Copper Project in Rajasthan, will also be in-charge of setting up a fertilizer factory attached to the Khetri Copper Project;

(b) if so, the name of the agency entrusted with the preparation of the project;

(c) whether there is any likelihood of starting the fertilizer factory along with the Copper Project to utilise its by-products; and

(d) if not, how long it will take to complete the fertilizer factory?

The Minister of Mines and Metals (Shri S. K. Dey): (a) Yes, Sir.

(b) Negotiated are being held with Fertilizer Corporation of India for entrusting the designing, engineering and installation of the Fertilizer Plant to them.

(c) The Fertilizer Plant is also expected to be commissioned by the end of 1969 alongwith the main Copper Plant.

(d) Does not arise in view of (c) above.

Export of Minerals

2931. Shri D. C. Sharma:
Shri Maheswar Naik:

Will the Minister of **Mines and Metals** be pleased to state:

(a) whether it is proposed to double the mineral exports by the end of the Fourth Plan period to place them in the third place as foreign exchange earner;

(b) if so, the steps being taken to increase the production; and

(c) how long the available mineral resources will last at the present rate of exploitation both for internal consumption and export purposes?

The Minister of Mines and Metals (Shri S. K. Dey): (a) Yes, Sir.

(b) Various steps have been taken by the Government, from time to time, to step up production and increase the exports of minerals, such as provision of new Railway lines, improvement in transport facilities by road, extension of facilities at the Ports, canalisation of exports of iron ore and manganese ore through the Minerals and Metals Trading Corporation of India Ltd., etc.

(c) In the case of important minerals like iron ore, manganese ore, mica, etc., the country has sufficient reserves to meet the both internal and external demands.

फिशप्लेटों का हटाया जाना

2932. श्री हुकम चन्द कछवाय :
श्री बड़े :
श्री विश्राम प्रसाद :

क्या रेलवे मंत्री 5 अगस्त, 1966 के

तारांकित प्रश्न संख्या 295 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को गोरखपुर में कोलार गांव के निकट फिशप्लेटों और बोल्टों के हटाये जाने के सम्बन्ध में गिरफ्तार किये गये व्यक्तियों की पुलिस द्वारा की गई जांच की रिपोर्ट प्राप्त हो गई है;

(ख) यदि हां, तो उसका ब्यौरा क्या है; और

(ग) यदि नहीं, तो इस सम्बन्ध में और कितना समय लगने की सम्भावना है ?

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) जी हां।

(ख) राज्य सरकार रेलवे पुलिस, मऊ जंकशन ने 3 अभियुक्तों को गिरफ्तार किया था, परन्तु पर्याप्त सबूत न होने के कारण उनके विरुद्ध न्यायालय में मुकद्दमा नहीं चलाया जा सका। इस मामले में पुलिस ने जांच करना बन्द कर दिया है और मजिस्ट्रेट को अन्तिम रिपोर्ट दे दी है।

(ग) सवाल नहीं उठता।

बेलाडिल्ला में इस्पात कारखाना

2933. श्री बड़े :
श्री हुकम चन्द कछवाय :
श्री विश्राम प्रसाद :

क्या लोहा और इस्पात मंत्री 5 अगस्त, 1966 के अतारांकित प्रश्न संख्या 1415 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने बेलाडिल्ला में सरकारी क्षेत्र में एक लोहा और इस्पात कारखाना स्थापित करने का निर्णय किया है;

(ख) यदि हां, तो उसका ब्यौरा क्या है; और

(ग) यदि नहीं, तो निर्णय करने में और कितना समय लगने की सम्भावना है ?

लोहा और इस्पात मंत्री (श्री त्रि ना० सिंह) : (क) जी, नहीं।

(ख) प्रश्न नहीं उठता।

(ग) इस्पात कारखाना लगाने के लिए स्थल-निर्धारण के बारे में निर्णय करने से पहले सरकार को साधनों की उपलब्धि और विभिन्न स्थलों के तुलनात्मक लाभों जैसी कई बातों पर विचार करना होता है। इस समय यह कहना मुश्किल है कि निर्णय कब किया जायेगा।

पुस्तकालय के लिए हिन्दी पुस्तकें

2934. श्री विश्राम प्रसाद : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके मंत्रालय के पुस्तकालय के लिये हिन्दी की उन पुस्तकों को प्राप्त करने के लिये क्या व्यवस्था की गई है, जिनकी सूची भारतीय राष्ट्रीय ग्रन्थसूची में छापी गई हैं; और

(ख) गत छः महीनों में इस सूची के आधार पर हिन्दी की कितनी पुस्तकें पुस्तकालय में आई हैं ?

वाणिज्य मंत्री (श्री मनुभाई शाह) : (क) वाणिज्य मंत्रालय के अधीन कोई पुस्तकालय नहीं है।

(ख) प्रश्न ही नहीं उठता।

हिन्दी में कार्यालय आदेश

2935. श्री विश्राम प्रसाद : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके मंत्रालय तथा उससे सम्बद्ध और अधीनस्थ कार्यालयों ने 1 जनवरी, 1966 से 31 अगस्त, 1966 तक तीसरी और चौथी श्रेणी के कर्मचारियों की नियुक्ति, छुट्टी, वेतन तथा भत्तों के बारे में कुल कितने

कार्यालय आदेश तथा ज्ञापन जारी किये; और

(ख) उनमें से कितने आदेश व ज्ञापन हिन्दी में अथवा हिन्दी अनुवाद के साथ जारी किये गये तथा अन्य मामलों में से ऐसी व्यवस्था न की जाने के क्या कारण हैं ?

वाणिज्य मन्त्री (श्री मनुभाई शाह) : (क) और (ख). जानकारी एकत्र की जा रही है और सभा-पटल पर रख दी जायेगी ।

वाणिज्य मंत्रालय द्वारा प्रकाशित प्रकाशन

2936. **श्री विश्राम प्रसाद :** क्या वाणिज्य मंत्री यह बतलाने की कृपा करेंगे कि :

(क) उनके मंत्रालय तथा उससे सम्बद्ध और अधीनस्थ कार्यालयों द्वारा 1965–66 में और अप्रैल, 1966 से अगस्त, 1966 तक कितनी पुस्तक प्रकाशित की गईं तथा उन प्रकाशनों की क्या संख्या है जिनका हिन्दी संस्करण निकाला गया ;

(ख) सभी प्रकाशनों के हिन्दी संस्करण न निकालने के क्या कारण हैं ; और

(ग) क्या भविष्य में इन सभी प्रकाशनों के अंग्रेजी तथा हिन्दी संस्करण साथ साथ प्रकाशित करने के लिये प्रबन्ध किये जा रहे हैं ?

वाणिज्य मन्त्री (श्री मनु भाइशाह) : (क) वर्ष 1965–66 में और अप्रैल, से अगस्त 1966 की अवधि में इस मंत्रालय तथा उससे सम्बद्ध और अधीनस्थ कार्यालयों द्वारा अंग्रेजी में प्रकाशित किये गये प्रकाशनों की संख्या क्रमश: 364 तथा 113 थी । 1965-66 में तो प्रकाशन हिन्दी में निकाले गये थे । 1965-1966 में और अप्रैल से अगस्त, 1966 की अवधि में प्रकाशित किये गये प्रकाशनों के नामों को दर्शाने वाली दो सूचियां (अंग्रेजी में.) सभा पटल पर रखी जाती हैं । [पुस्तकालय में रखीगई, देखिये संख्या LT-7502/66]

(ख) और (ग). क्यों कि इस मंत्रालय द्वारा प्रकाशित अधिकांश प्रकाशन विदेशी प्रचार के लिये होते हैं, इसी लये क नहीं समझा गया कि प्रत्येक का हिन्दी संस्करण निकाला जाये । जहां तक कहीं आवश्यक समझा जाता है, प्रकाशनों के हिन्दी संस्करण, उनकी मांग तथा उपयोगिता को देखते हुए, निकाले जाते हैं ।

हिन्दी में फाम (प्रपत्र)

2937. **श्री विश्राम प्रसाद :** क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके मंत्रालय में प्रयोग किये जाने वाले कितने फार्मों (प्रपत्रों) का अब तक हिन्दी में अनुवाद किया जा चुका है ; और

(ख) उनमें से कितने फार्म (प्रपत्र) हिन्दी में अथवा अंग्रेजीबहिन्दी द्विभाषी संस्करण के रूप में छापे गये हैं तथा शेष फार्मों (प्रपत्रों) को कब तक इस रूप में छाप दिया जायेगा ?

वाणिज्य मंत्री (श्री मनभाई शाह) : (क) और (ख): मंत्रालय में मानक फार्मों का प्रयोग हो रहा है, जिनमें से इस समय 18 फार्म हिन्दी तथा अंग्रेजी दोनों में द्विभाषिक रूप .) में छपे हुए हैं । शेष मानक फार्म भी द्विभाषिक रूप में, यथाशीघ्र उपलब्ध हो जाने पर प्रयोग में लाये जायेंगे

Production of Cloth

2938. **Shri Maheswar Naik:** Will the Minister of **Commerce** be pleased to state:

(a) the total production of cotton cloth in the country during 1966 so far;

(b) the quantum set apart for export and the export earning therefrom; and

(c) the *per capita* availability as at present for domestic consumption and how long it will take to raise it to the full *per capita* requirement?

The Minister of Commerce (Shri Manubhai Shah): (a) Total production of cotton cloth during January to October, 1966, is estimated at 6105 million metres.

(b) During January to August, 1966, the cotton textile mills produced 307 million metres of cloth for export. Out of this, 305 million metres have been actually delivered by the mills. Export earnings from mill cloth and manufactures comprising apparel, etc., upto the end of August, 1966, is estimated at Rs. 3413.5 lakhs and from cotton handloom cloth and manufactures at Rs. 391.3 lakhs and 58.86 lakhs, respectively upto end of July, 1966.

(c) The *per capita* availability during 1965 was 14.58 metres of cotton cloth. In the Fourth Plan, the target of cloth production proposed has been based on a *per capita* availability of the order of 16.90metres.

Geological Survey in Orissa

2939. Shri Maheswar Naik: Will the Minister of **Mines and Metals** be pleased to state the areas in Orissa which have now been brought under survey programmes of the Geological Survey of India and those which have already been brought under exploitation?

The Minister of Mines and Metals (Shri S. K. Dey): A general geological and mineral reconnaissance survey of Orissa has been practically completed. A resurvey of the State on 1 inch = 1 miles scale and an intensified programme of exploration of minerals are in progress. Large-scale mapping has also been carried out in connection with the investigation for coal in Talcher coalfield and Ib river coal-field; bauxite in Kalahandi; graphite in Sambalpur and chromite in Dhenkanal and Cuttack; iron ores in Keonjhar-Sundergarh districts.

It is understood from the Government of Orissa that mining leases in respect of a total area of approximately 286 sq. miles have been granted for exploitation of mineral deposits to different parties in the following districts:—

District	Mineral under lease
1 Bolangir	Graphite, Manganese.
2 Sambalpur	Fireclay, Graphite, Redoxide, Iron, Kyanite, Chinaclay, Fireclay, Corrundum, Manganese.
3 Keonjhar	Iron, Manganese, Chromite, Kyanite, Siliminite, Quartzite, Silica, Chinaclay.
4 Puri	Whiteclay.
5 Kalahandi	Graphite, Manganese, Iron.
6 Koraput	Manganese, Graphite, Mica, Limestone, Dolomite.
7 Cuttack	Chromite, Manganese, Iron, Fireclay.
8 Dhenkanal	Kyanite, Chromite, Quartz.
9 Phulbani	Graphite.
10 Sundergarh	Limestone, Dolomite, Manganese, Asbestos, Kaolin Quartz, Barytes, Iron, Chinaclay, Quartzite, Fireclay Soapstone, Galena.

Production of Galvanized Corrugated Sheets

2940. Shri Maheswar Naik: Will the Minister of **Iron and Steel** be pleased to state:

(a) whether after the relaxation of restriction on the import of zinc for galvanizing corrugated sheets, Government have allowed from April last limited production of these sheets;

(b) if so, how far the production has improved; and

(c) to what extent the needs of genuine consumers have so far been met and the steps being taken to meet the deficit?

The Minister of Iron and Steel (Shri T. N. Singh): (a) to (c). In 1965-66, owing to shortage of foreign exchange for the import of zinc, the production of galvanised sheets was considerably reduced. The production of galvanised sheets was allowed subject to availability of zinc. The production has improved to some extent after import liberalisation. The needs of the genuine consumers are met to the extent possible within the available supplies. Many of the consumers have switched over to the use of black corrugated sheets painted with protective coating.

Hire Purchase Scheme

2941. Shri Sivamurthi Swamy: Will the Minister of **Industry** be pleased to state the extent of success achieved as a result of the application of hire purchase scheme in some of the industries?

The Minister of Industry (Shri D. Sanjivayya): Under the Hire Purchase Scheme of the National Small Industries Corporation Limited, machinery is supplied to small scale industrial units including small-scale ancillary units. Upto the end of October, 1966, machinery valued at about Rs. 26.0 crores had been supplied by the Corporation to about 6,000 units. An industry-wise analysis was made for the period ending December, 1965 and the analysis shows the industries which were set up as a result of the assistance as follows:—

S. No. & Name of Industry	Number of units	Hire Purchase Value
		Rs.
1 Agricultural Impilments	75	10,34,525
2 Auto Servicing	284	75,58,622
3 Building Materials	136	45.40,703
4 Ceramics	18	12,84,603
5 Chemicals	171	84,50,633
6 Containers	55	21,09,185
7 Electrical Goods	215	1,15,31,651
8 Food Products	151	43.35,982
9 Foundry	149	68,20,988
10 Leather	46	12,18,169
11 Light Enginerering	2,355	11,13,69.574
12 Metal Ware .	106	57,13,700

S. No. & Name of Industry	Number of units	Hire Purchase Value
13 Miscellaneous	497	1,79,78,211
14 Plastic Conversion	183	1,18,99,966
15 Printing and Binding	362	90,22,892
16 Rubber Based Industry	118	58,87,869
17 Scientific Goods	117	47,53,049
18 Stationery	154	87,84,895
19 Textiles	128	33,17,944
20 Timber Based Industry	537	79,32,123
21 Wearing Apparel	132	26,37,803
TOTAL	5,989	23,81,83,087

Detention of Bombay-Howrah Mail

2942. **Shri Vishwa Nath Pandey:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the 8 Up Bombay-Howrah Mail was detained at Jabalpur Railway Station for more than 2½ hours on the 29th September, 1966 as a precautionary measures following a news that some boys near Kashpura Railway Station were sabotaging a track; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) and (b) Yes. On 29-9-66, before arrival of 8 Up Howrah-Bombay Mail, the District Magistrate Jabalpur, received source information that some students had proceeded towards Kachpura and it was suspected that they might tamper with the railway track. On receipt of the information immediate arrangements were made to check the track between Bheraghat and Madan Mahal by sending the light engine. The track was certified as safe and the 8 Up Mail which had arrived late at 19-07 hours at Jabalpur was allowed to start at 22-00 hours with instructions for cautious driving. Permanent Way Inspector and State Government Railway Police accompanied the train. No case has been registered nor any arrest has been made in this connection.

Export of Thermos Flasks

2943. **Shri Vishwa Nath Pandey:**
Shri Ram Harkh Yadav:

Will the Minister of **Commerce** be pleased to state:

(a) whether it is a fact that the State Trading Corporation has entered into an agreement with the Soviet Government for the export of thermos-flasks besides some spare refills; and

(b) if so, the main features of the agreement?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). The State Trading Corporation signed a contact in October, 1966 with V/O Rezeexport, Moscow for the supply of Vacuum Flasks. The contract provides for the supply of 50,000 pieces of Vacuum Flasks in half litre capacity and 25,000 pieces in one litre capacity. In addition 17,000 pieces of spare glass refills in ½ litre and 8,000

pieces of refills in one litre capacity will also be supplied. The total value of the contract is Rs. 5·70 lakhs and the whole quantity is to be shipped by the middle of December, 1966.

Promotion to Class II Service in the Mechanical and Electrical Deptts. of the Indian Railways

2944. Shri Sivamurthi Swamy: Will the Minister of **Railways** be pleased to refer to the reply given to Unstarred Question No. 2815 on the 19th August, 1966 and state the specified percentage of promotees from Class III to Class II posts in the Mechanical and Electrical Departments on the Indian Railays, Zone-wise?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): There is no specified percentage of promotees from Class III to Class II posts in the Mechanical and Electrical Departments on the Indian Railways. All Class II posts in these Departments are filled by eligible candidates holding Class III posts on the basis of selection by the Departmental Selection Boards.

Trainee Journeymen

2945. Shri Sivamurthi Swamy: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that Trainee Journeymen selected in 1954, 1955 and 1956 by the Northern Railway have been declared senior to ex-Apprentice Mechanics 1951 (EIR), 1954 and 1957 though Apprentice Mechanics have completed their apprenticeship earlier than these Journeymen;

(b) if so, the reasons therefor; and

(c) the reason for adjusting the seniority of trainee Journeymen during the training period while Apprentice Mechanics have been given the seniority after completion of apprenticeship?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) There is no case where Apprentice Mechanics have, after completion of their training, been placed junior to Journeymen overlooking the policy of fixing their relative seniority based on the date of successful completion of Apprenticeship in the case of the former, and the date of joining the working posts in the case of the latter.

(b) and (c) Do not arise.

कोटा और गंगापुर में निर्माण-परीक्षक द्वारा काम पर लगाये गये मजदूर

2946. श्री ओंकार लाल बेरवा :
श्री ओंकार सिंह :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कोटा और गंगापुर में निर्माण-परीक्षक द्वारा काम पर लगाये गये मजदूरों को जो 75 पैसे और मिलने चाहिये थे, उनका भुगतान कुछ व्यक्तियों को कर देने के बाद बन्द कर दिया गया है ;

(ख) क्या यह भी सच है कि यह राशि मकान बनाने वाले मजदूरों को दी जानी चाहिये थी ;

(ग) यदि हां, तो उन्हें यह राशि न देने के क्या कारण हैं ;

(घ) क्या यह भी सच है कि कोटा स्थित सतर्कता विभाग ने इस मामले की जांच की थी और 1956–57 में प्रस्तुत किये गये अपने प्रतिवेदन में कहा था कि जो कुछ किया गया था वह सब गलत काम था ; और

(ङ) यदि हां, तो इस प्रतिवेदन के सम्बन्ध में सरकार ने क्या कार्यवाही की है ?

रेलवे मंत्रालय में राज्य मंत्री (डा० राम सुभग सिंह) : (क) जैसा कि 29-7-1966 के अतारांकित प्रश्न संख्या 737 के उत्तर में बताया जा चुका है, निर्माण कार्य निरीक्षक, कोटा के अधीन काम करने वाले

79 नैमित्तिक मजदूरों को, जिन्हें 1-4-1952 से 31-8-1954 तक 1 रु० 50 पैसे प्रति दिन की दर से मजदूरी दी गयी थी, उपबलब्ध सम्बन्धित अभिलेखों के आधार पर, उक्त अवधि के लिये 75 पैसे प्रति दिन की दर से बकाया रकम की अदायगी की गयी थी। जहां तक गंगापुर सिटी के निर्माण कार्य निरीक्षक के अधीन लगाये गये मजदूरों का सम्बन्ध है, इस बात की जांच नहीं की जा सकी कि वे मजदूरी का अन्तर पाने के पात्र थे या हीं क्योंकि सम्बिधित अभिलेख उपलब्ध नहीं थे जिनसे यह पता लगता कि क्या इस प्रकार के कुछ मजदूर अनुसूचित कामों पर लगाये गये थे ।

(ख) "मकान बनाने वाले मजदूर" नाम से नैमैतिक मजदूरों की कोई कोटि नहीं है ।

(ग) सवाल नहीं उठता ।

(घ) जी नहीं ।

(ङ) सवाल नहीं उठता ।

गेहूं के चोकर का निर्यात

2947. श्री मोहन स्वरूप : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राज्य व्यापार निगम ने गेहूं के चोकर का निर्यात करने का निर्णय किया है;

(ख) यदि हां, तो इसकी कितनी मात्रा का निर्यात किया जायेगा; और

(ग) इससे कितनी विदेशी मुद्रा प्राप्त होने की आशा है ?

वाणिज्य मंत्री (श्री मनुभाई शाह) : (क) जी, हां ।

(ख) 10,000 मेट्रिक टन ।

(ग) 43.95 लाख रुपये, लागत बीमा भाड़ा सहित अथवा 2,16,225 पौंड (लगभग)

अवमूल्यन से पूर्व की अवधि में हुए निर्यात का मूल्य परिवर्तन की पुरानी दरों से और अवमूल्यन के बाद की अवधि में किये गये निर्यात का मूल्य परिवर्तन की नई दरों से परिवर्तित किया गया ।

Overloading on Western Railway

2948. Shri U. M. Trivedi: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Chief Commercial Superintendent of Western Railway ordered overloading beyond the maximum axle load of wagons and the Chief Operating Superintendent of the same Railway did not agree to that proposal;

(b) whether such over-loading was carried out; if so, to what extent and with what financial benefit to the Railways;

(c) whether debits have been raised against the Western Railway Commercial Clerks for having committed the breach of this provision; and

(d) the amount of such debits and how much has been realized up-to-date?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) In July, 1964, the Commercial Department of the Western Railway, in consultation with the engineering Department, issued orders authorising loading of wagons beyond the marked carrying capacity. There is no question of another department disagreeing with those instructions.

(b) Overloading was permitted and carried out to the extent of 2 tonnes on B. G. and 1 tonne on M.G. However, on certain M.G. sections where axle load restrictions were in force. presumably due to a misunderstanding of the instructions, the staff did

not permit overloading of wagons. The position has since been clarified and the instructions are correctly being followed. No separate statistics to assess the financial benefit to the Railways on account of overloading are maintained.

(c) Yes.

(b) Debits totalling Rs. 2,34,113.30P have been raised. Staff have disputed the debits and the question of enforcing them is under examination.

Alloy Steel Plant, Durgapur

2949. Shri D. C. Sharma: Will the Minister of **Iron and Steel** be pleased to state:

(a) whether there have been some allegations of mismanagement against Alloy Steel Plant, Durgapur; and

(b) if so, the action taken in the matter?

The Minister of Iron and Steel (Shri T. N. Singh): (a) No, Sir.

(b) Does not arise.

Automobile Tyres

2950. Shri D. C. Sharma: Will the Minister of **Industry** be pleased to state:

(a) the steps taken for the distribution of automobile tyres in the country; and

(b) the present position regarding the availability of tyres?

The Minister of Industry (Shri D. Sanjivayya): (a) and (b). The production of automobile tyres is on the increase. There is no complaint regarding any shortage or non-abailability of tyres. As such no steps have been taken to control the distribution of automobile tyres in the country.

Manufacture of Equipment for Oil Refinery

2952. Shri D. C. Sharma: Will the Minister of **Industry** be pleased to refer to the reply given to Starred Question No. 440 on the 12th August, 1966 and state:

(a) the progress made in the examination of the technical report regarding the establishment of a project for the manufacture of equipment for oil refinery; and

(b) the stage at which the matter stands at present?

The Minister of Industry (Shri D. Sanjivayya): (a) and (b). The technical report received from the Rumanians has since been examined and a decision taken to establish the project. Government are presently examining the availability of the resources needed for implementing the project before taking further steps.

Prashanna Datta Kajora Colliery

2953 Shri Mohammad Elias: Will the Minister of **Mines and Metals** be pleased to state:

(a) whether Government have received any representation from Collieries Mazdoor Sabha, Asansol regarding the sale and change of ownership of the Prashanna Datta Kajora Collieries; and

(b) if so, the details thereof?

The Minister of Mines and Metals (Shri S. K. Dey): (a) No, Sir.

(b) Does not arise.

Mural Painting on the Walls of Baroda House, New Delhi

2954. Shri Vishram Prasad:
Shri Dhuleshwar Meena:
Shri Daljit Singh:
Shri C. M. Kedaria:
Shri Ramapathi Rao:
Shri Rajdeo Singh:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that his Ministry has imposed stringent curbs on expenditure as a measure of economy;

(b) if so, the reasons for spending Rs. 50,000 on an unproductive and unremunerative work like mural painting on the walls of Baroda House, New Delhi;

(c) the action proposed to be taken to put an end to such a wasteful expenditure; and

(d) the expenditure incurred on the occassion of the unveiling of this mural?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes. It has already been decided to restrict to the maximum extent possible expenditure of capital as well as revenue, and necessary instructions have already been circulated to all the Railway Adminstrations.

(b) The expenditure of Rs. 50,000 on mural decoration in Baroda House was on a commitment which was entered into long before special economy measures were contemplated.

(c) As long as the difficult economic situation continues, there will be no new commitments for such works of art; and

(d) A modest sum of Rs. 400|-was spent on the occasion of unveiling this mural by the Vice President of India on the 28th of September, 1966.

चक्रधरपुर रेलवे स्टेशन के सुपरिन्टेन्डेन्ट के विरुद्ध आरोप

2955. **श्री बड़े :**
श्री हुकम चन्द कछवाय :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 11 सितम्बर, 1966 के 'रांची एक्सप्रेस' में प्रकाशित समाचार के अनुसार दक्षिण-पूर्व रेलवे के चक्रधरपुर कार्यालय में एक सुपरिटेंडेंन्ट पिछले 30 वर्षों से कर्मचारियों के साथ पक्षपात तथा जातिगत भेदभाव कर रहा है;

(ख) क्या चैबासा में बायलर इन्सपेक्टर भी कर्मचारियों के साथ इसी प्रकार का दुर्व्यवहार कर रहा है;

(ग) क्या यह भी सच है कि बिहार के विधायकों तथा अन्य बहुत से लोगों ने शिकायतें की हैं कि इन अधिकारियों का स्थानान्तरण किया जाये किन्तु रेलवे बोर्ड ने इस सम्बन्ध में कोई कार्यवाही नहीं की है; और

(घ) यदि हां, तो इसके क्या कारण हैं ?

रेलवे मंत्रालय में राज्य मंत्री (डा० राम सुभग सिंह) : (क) जी नहीं ।

(ख) जी नहीं । चाईबासा में कोई बायलर निरीक्षक नहीं है ।

(ग) बिहार विधान सभा के सदस्य श्री आर० पी० सरंगी ने चक्रधरपुर के बायलर निरीक्षक श्री गोपाल कृष्ण और चक्रधरपुर मंडल कार्मिक अधिकारी के कार्यालय के कार्यालय अधीक्षक श्री ए० जे० स्वामी के विरुद्ध कुछ शिकायतें की थीं । इन शिकायतों की जांच की गयी और यह मालूम हुआ कि शिकायतें निराधार थीं । लेकिन श्री गोपाल कृष्ण को प्रशासनिक सुविधा की दृष्टि से 28-10-1966 को टाटानगर के लिये स्थानान्तरित कर दिया गया । श्री स्वामी को आद्रा मंडल में स्थानांतरित करने के आदेश भी दिये गये थे, परन्तु प्रशासनिक दृष्टि से इन आदेशों को आस्थगित रखा गया है ।

(घ) ऊपर भाग (ग) में दिये गये उत्तर को देखते हुए, सवाल नहीं उठता ।

Law Graduates in Railway Ministry

2956. **Shri Priya Gupta:** Will the Minister of **Railways** be pleased to state:

(a) the total number of Railwaymen in Law Section of his Ministry including the Zonal Railways in Gazetted and Non-Gazetted cadre who are Law Graduates; and

(b) whether they have represented that they should be treated at par

with Doctors (Medical Graduates) by either giving them non-practising allowance or permitting them to give their counsels to private parties in respect of legal advice?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh) (a) 261.

(b) No.

Through Passenger Train from Katihar to Gauhati

2957. Shri Priya Gupta: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that there is no through passenger and parcel train from Katihar to Gauhati, thus affecting very badly the perishable traffic from Bihar to North Bengal and Assam; and

(b) whether with the construction of the Broad Gauge line upto Assam "path" will be available for re-introducing through passenger/parcel trains between Katihar and Gauhati?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) While no direct passenger train stopping at all stations is available between Katihar and Gauhati, a through Parcel Express service is available between these points in Nos. 901 Up|902 Dn. Parcel Expresses besides two pairs of through Mail trains and two other pairs of connected trains. Perishable traffic offering between stations in Bihar and North Bengal|Assam is adequately catered to by these services.

(b) Despite the introduction of B.G. services upto New Bongaigaon/Jogighopa, line capacity is not at present available for introduction of an additional through passenger/parcel train between Katihar and Gauhati without adversely affecting the movement of essential goods traffic.

Export of Railway Wagons to East European Countries

2159. Shri P. C. Boroosh:
Shri Yashpal Singh:

Will the Minister of **Commerce** be pleased to state:

(a) whether there is a proposal to set up an assembly unit in Yugoslavia for railway-wagons which are manufactured in India;

(b) if so, the steps taken so far in that direction; and

(c) the present export of railway wagons to the East European countries and how far the prospects of such export will increase with the setting up of this assembly unit?

The Minister of Commerce (Shri Manubhai Shah): (a) to (c) The State Trading Corporation has entered into an agreement with Messrs. NIKEX of Hungary for the supply of Railway Wagons to that country and in implementation of this agreement the wagons will be exported in semi-knocked-down condition to Yugoslavia where they will be assembled before delivery to the Hungarians. For this purpose, the S. T. C. have made arrangements with one of the wagon manufacturing workshops in Yugoslavia for the assembly of wagons.

Efforts are being continued to secure orders from other East European Countries. The prospects will increase once Indian wagons start running on European railway lines and their quality is found competitive.

Black-listed Firms

2960. Shri Indrajit Gupta: will the Minister of **Industry** be pleased to refer to the reply given to Unstarred Question No. 1878 on the 18th November, 1966 and state:

(a) when the decision in regard to the action to be taken against firms "black-listed" by Government is likely to be announced; and

(b) whether in the intervening period, any legal penalties and sanctions will be imposed on already "black-listed" firms?

The Minister of Industry (Shri D. Sanjivayya): (a) and (b). The question as to how the existing laws could be strengthened and their scope widened to enable Government to take more effective action against firms guilty of malpractices is still under examination of the Government. In the meantime action against such firms is taken in accordance with the powers available under the existing laws.

Sheds on Platforms on the Rupar-Nangal Dam Section

2961. Shri Daljit Singh: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that a decision had been taken to provide sheds on platforms at Nangal Dam, Anand Pur Sahib and Rupar stations, and for which orders had been placed with the workshops; and

(b) if so, the time it will take to complete the construction of sheds on these platforms?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag singh (a) and (b). Yes. The steel structure for provision of sheds on platforms at Nangal Dam and Anand Pur Sahib are under fabrication and the provision of sheds at these stations is likely to be completed by April, 1967. At present there is no proposal to provide shed over platform at Rupar.

H. M. T. Unit in Rupar District

2962. Shri Daljit Singh: Will the Minister of **Industry** be pleased to state:

(a) whether Government propose to set up a unit of the Hindustan Machine Tools in Rupar District, Punjab; and

(b) if so, the details thereof?

The Minister of Industry (Shri D. Sanjivayya): (a) No, Sir.

(b) Does not arise.

रूरकेला इस्पात कारखाने को कच्चे लोहे तथा मैंगनीज प्रयस्क को सप्लाई

2963. श्री मधु लिमये :
श्री किशन पटनायक :

क्या लोहा और इस्पात मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या उड़ीसा के भूतपूर्व मुख्य मंत्री की एक फर्म को रूरकेला इस्पात कारखाने का कच्चे लोहा तथा मैंगनीज प्रयस्क की सप्लाई करने का ठेका दिये जाने के मामले की जांच की गई है ;

(ख) क्या सरकार ने धातु तथा खनिज निगम को यह ठेका न दिये जाने के कारणों की भी जांच की है ; और

(ग) यदि हां, तो उसका क्या परिणाम निकला है ?

लोहा और इस्पात मंत्री (श्री त्रि० ना० सिंह) : (क) से (ग). मामले की जांच की गई है। चूंकि सरकारी उपक्रम समिति इस मामले की जांच कर रही है अतः सरकार के लिये यह उचित न होगा कि समिति द्वारा निष्कर्षों पर पहुंचने से पूर्व सरकार अपने विचार प्रकट करे जिससे समिति द्वारा की जाने वाली जांच पर कोई प्रतिकूल प्रभाव पड़े।

Broad Gauge Line to Kathgodam

2964. Shri K. C. Pant: Will the Minister of **Railways** be pleased to state:

(a) the mileage of new broad gauge lines to be laid during the Fourth Plan in Uttar Pradesh;

(b) whether it is a fact that a decision to lay a broad gauge line from Bareilly/Rampur to Kathgodam was taken sometime back which was later postponed;

(c) if so, the reasons therefor; and

(d) the time by which a broad guage line will be laid in that region

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) Proposals of new lines to be taken up in the Fourth Five Year Plan have not yet been finalised.

(b) to (d). No decision on construction of a broad gauge line from Bareilly or Rampur to Kathgodam was taken in the past. Only Reconnissance Engineering and Traffic surveys for a broad gauge line from Rampur to Haldwani (near Kathgodam)—57 miles/92 KMs—were carried out in 1956-57. The line was then estimated to cost Rs. 2.84 crores, and was found to be unremunerative. It was, therefore, not included in the Third Five Year Plan. As construction of a broad gauge line to Kathgodam cannot be justified on traffic or financial grounds at present, there is no prospect of this proposal being taken up for consideration even in the Fourth Five Year Plan.

Wool Industry in hill Regions of U.P.

2965. **Shri K. C. Pant:** Will the Minister of **Commerce** be pleased to state:

(a) whether a demand has been made from the hill region of U.P. to start wool industry in that region;

(b) if so, whether Government are considering their demand; and

(c) if not, whether Government propose to encourage wool industry in that region which greatly suffered on account of dislocation in trade following the Chinese invasion of 1962?

The Minister of Commerce (Shri Manubhai Shah): (a) No, Sir.

(b) Does not arise.

(c) A programme for fine wool production in suitable hill areas, including those in U. P., has been formulated; under this, it is proposed to import ewes and rams of fine wool sheep for multiplication and extensive cross-breeding purposes in the rural flocks.

Looting of Passengers near Charkhari Road Station

2966. **Shri Vishwa Nath Pandey:**
Shri Kindar Lal:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that two first class passengers were robbed at pistol point near Charkhari Road Railway Station of the Central Railway in the Manikpur-Jhansi fast passenger train on the 26/27th October, 1966 night; and

(b) if so, the reaction of Government thereto?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh) (a) Yes, but the incident took place at about 02.15 hours on 19th October, 1966.

(b) State Government Railway Police, Banda have registered a case on crime No. 45/66 under section 392 I. P. C. which is under investigation.

फिश प्लेटों का हटाया जाना

2967. **श्री किन्दर लाल :**
श्री विश्व नाथ पाण्डेय :

क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अक्तूबर, 1966 को चुनरा तथा सौनपुर के बीच रेल यातायात सुबह के 10 बजे तक बन्द रहा क्योंकि उस दिन सुबह के 6 बजे नयागांव तथा परमानन्दपुर स्टेशनों के बीच एक स्थान पर कुछ फिश प्लेटें निकली हुई पाई गई और कुछ काबले गुम पाये गये; और

(ख) यदि हां तो, इस बारे में सरकार की क्या प्रतिक्रिया है ?

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह): (क) सही स्थिति यह है कि हपरा और सोनपुर स्टेशनों के बीच दो घटनाएं हुई थीं जिसमें फिश प्लेटे और काबले गायब पाये गये। पहली घटना का पता 5-10-66 के 09.35 बजे और दूसरी का 20-10-66 को 06.29 बजे चला। पहली घटना के कारण किसी गाड़ी को रुकना नहीं पड़ा। लेकिन दूसरी घटना के कारण तीन गाड़ियों को क्रमशः एक घंटा 20 मिनट, एक घंटा 17 मिनट और 53 मिनट रुकना पड़ा। उसी दिन 20-10-11 को 10.30 बजे दोहरी लाइन पर गाड़ियों का आना-जाना शुरू हो गया।

(ख) सोनपुर की राज्य सरकारी रेलवे पुलिस ने दोनों मामले भारतीय रेल अधिनियम की धारा 126 के अधीन दर्ज कर लिये हैं और उनकी अभी जांच की जा रही है सहायक रेलवे अधिकारियों द्वारा संयुक्त जांच की गई है और उस परिणाम की प्रतिक्षा की जा रही है। नयागांव और परमानंदपुर के बीच पटरी पर गश्त लगाने का काम तेज कर दिया गया है।

कायनकुलम से एरणाकुलम तक बड़ी लाइन

2968. श्री शिंकरे :
श्री ओंकार लाल बेरवा :
श्री हुकम चन्द कछवाय :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि एरणाकुलम के उन निवासियों को, जो मछली तथा रस्सियों के व्यापार से अपनी जीविका चलाते हैं, यातायत की सुविधाओं के अभाव के करण बहुत कठिनाई अनुभव हो रही है तथा वे अपने व्यापार को बढ़ाने एंव अपने जीवन स्तर को ऊंचा उठाने में असमर्थ है;

(ख) क्या यह भी सच है कि केरल में कायनकुलम तथा एरणाकुलम के बीच केवल मीटर गेज लाइने ही बिछी हुई हैं;

(ग) यदि हां, तो वहां बड़ी लाइन बिछाने के लिये सरकार ने क्या कार्यवाही की है; और

(घ) यदि नहीं, तो इस के क्या करण है?

रेलवे मंत्रालय में उपमंत्री (श्री शाम नाथ): (क) और ख). यद्यपि इस क्षेत्र के बहुत से लोग मछली और रस्सी के व्यापार से अपनी जीविका चलाते हैं, फिर भी यह कहना सही नहीं है कि परिवहन की सुविधाओं के अभाव के कारण उनके व्यापार पर बुरा असर पड़ा है। इस क्षेत्र में न केवल मीटर लाइन की रेल गाड़िओं की अच्छी सुविधा है बल्कि सड़क और जलमार्ग की सुविधाएं भी उपलब्ध है, जो इस क्षेत्र की परिवहन संबंधी आवश्यकताओं को पूरा करने के लिये पर्याप्त हैं।

(ग) और (घ): कोल्लम-एरणाकुलम खंड पर यातायात का घनत्व प्रतिमार्ग किलोमिटर प्रति दिन 1075 शुद्ध मीटरिक टन किलोमिटर है, जो मीटर लाइन पर अन्यत्र उपलब्ध अधिकतम घनत्व अर्थात् 7300 से बहुत कम है। लाइन क्षमता और यातायात की संभावनाओं की जांच पड़ताल से पता चला है कि वर्तमान मीटर लाइन पर पर्याप्त क्षमता उपलब्ध है। जब और जैसी जरूरत होगी, लाइन-क्षमता के छोटे-मोटे निर्माण-कार्यों के द्वारा और डीजल इंजन से गाड़ियां चला कर इसकी क्षमता को और अधिक बढ़ाया जा सकता है और निकट भवि ष्य में प्रत्याशित यातायात को सम्हालने में किसी तरह की कठिनाई का अनुमान नहीं है। चौथी योजना के लिये जितनी सीमित रकत मिलने की संभावन है, उसको देखते हुए उत्पादकता में

यथासंभव कम से कम समय में अधिकतम प्रतिफल के आधार पर अग्रताएं निर्धारित की जायेंगी। चूंकि लाइन क्षमता के अपर्याप्त होने की संभावना नहीं है, जिसके कारण मीटर लाइन की जगह बड़ी लाइन बिछाने की आवश्यकता पड़ती, इसलिये इस खंड को इतनी उच्च अग्रता नहीं दी जा सकेगी कि इसे चौथी योजना में शामिल किया जा सके।

Ramgundam-Nizamabad Rail Link

2969. Shri M. R. Krishna:
Shri Ramapathi Rao:

Will the Minister of **Railways** be pleased to state:

(a) whether the Railway Board have authorised the newly constituted South Central Railway **Zone to** examine the feasibility of new railway lines in the area covered by the Zone; and

(b) whether the Ramgundam-Nizamabad Rail Link proposed by the erstwhile Nizams State Railway will be taken up for investigation by the Zone?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) and (b). No.

Lower Grades of Coal

2970. Shri Rameshwar Tantia: Will the Minister of **Mines and Metals** be pleased to state:

(a) whether it is a fact that the National Coal Development Corporation is offering substantial rebates on the sale of lower grades of coal; and

(b) whether it is also a fact that the NCDC is already producing such coal at a loss?

The Minister of Mines and Metals (Shri S. K. Dey): (a) For low grade coal i.e. Grade II and Grade III A & B non-coking variety and Grade HH of coking variety Government have only fixed ceiling prices which indicate the maximum price that a producer can charge for it and, therefore, the question of offering rebate does not arise.

(b) No Sir. It is not a fact that all such coals are being produced at a loss.

Passenger Amenities at Rupar-Nangal Section

2971. Shri Daljit Singh: Will the Minister of **Railways** be pleased to refer to the reply given to Unstarred Question No. 4685 on the 29th April, 1966 and state:

(a) the effect of the instructions issued to the Northern Railway for taking up the essential passenger and staff amenities works at Rupar-Nangal Section; and

(b) the detail of the works taken in hand so far?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh) (a) Some of the essential passenger and staff amenities works on Rupar-Nangal Section have been taken in hand while other cases are being processed.

(b) The details of works taken in hand so far are as under:—
Name of work.

1. Providing shed over passenger platform at Nangal Dam.

2. Providing flush system latrines in 1st and 2nd Class waiting room at Nangal. Dam. (Completed)

3. Providing shed over passenger platform at Anand Pur Sahib.

4 Providing 6 "dia boring to install 4" dia tube well at Bhanupali. (Completed).

Railway Medical Officers

2972. Shri D. C. Sharma: Will the Minister of **Railways** be pleased to state:

(a) whether the Central Executive of the Railway Medical Officers' As-

sociation had demanded that railway medical officers be brought on par with Medical Officers in the Central Government Health Scheme;

(b) whether there was general discontent among the Railway Doctors because of this disparity; and

(c) if so, the action taken or proposed to be taken in the matter?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) Several representations have been received from Railway Medical Officers.

(c) The case of Railway Medical Officers is under consideration of the Railway Board.

Accident between Pakkam and Madurantakam Stations

2973. Shri Ram Harakh Yadav:
Shri Vishwa Nath Pandey:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Rameshwaram-Madras Passenger train met with an accident between Pakkam and Madurantakam stations on the Southern Railway on the 3rd November, 1966;

(b) if so, the causes of the accident; and

(c) the total amount of loss to the Railway property due to the accident?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) Yes.

(b) *Prima facie*, the cause of the accident was the cyclonoic weather conditions prevailing at that time.

(c) The cost of damage to railway property was estimated at approximately Rs. 21,225|-.

Import of Art Silk

2974. Shri Subbaraman: Will the Minister of **Commerce** be pleased to state:

(a) the quantity and quality of art silk imported during 1963-64, 1964-65 and 1965-66;

(b) from which countries it has been imported; and

(c) the uses to which it is put in the country?

The Minister of Commerce (Shri Manubhai Shah): (a) The quantity and quality of art silk and other synthetic yarns imported during 1963-64, 1964-65 and 1965-66 was as under:—

(Quantity in Million Kgs)

Year	Visocose rayon yarn	Acetate rayon yarn	Cupramonrum rayon yarn	Synthetic yarn	Total
1963-64	4.274	0.590	1.470	4.882	11.225
1964-65	1.149	0.905	2.322	6.928	11.304
1965-66	0.179	0.163	0.367	3.727	4.435

(b) Bulgaria, Czechoslovakia, Canada, France, Germany (East), Germay (West), Hungary, Israel, Italy, Japan, Netherlands, Palond, Switzerland and U. K.

(c) The imported art silk and other synthetic yarns are used for the manufacture of woven/knitted fabrics, hosiery, ropes, cordage, braids etc.

Allowance Paid to Typists on Indian Railways

2975. Shri Rajdeo Singh: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Typists on the Railways are not paid Machine Allowances, whereas Punch

Card Operators and Telephone Operators are paid an Allowance although the work of the Typists is more strenuous;

(b) whether it is a fact that Clerks and Telephone Operators are placed in the same seniority list, whereas the Typists are being deprived of their joint seniority with the Office Clerks; and

(c) whether it is also a fact that the Typists on the Northern Railway are as a policy not allowed to change to the clerical cadre within 5 years of service, although there are clear instructions from the Board's office to that effect?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes, but the work of the Typists is not considered as more strenuous.

(b) Yes, but not below the grade of Rs. 210—380.

(c) No.

Railway Service Commission, Allahabad

2976. Shri Rajdeo Singh: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Railway Service Commission, Allahabad while sending Examination-*cum*-interview calls to the candidates for the posts of Stenographers gives preference to outsiders rather than to the Departmental candidates; and

(b) if so, the reasons therefor?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) No.

(b) Does not arise.

Daily Output of Typists on Indian Railways

2977. Shri Rajdeo Singh: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the daily out-turn of the Typists on the Indian Railways varies from Railway to Railway, if so, the reasons therefor;

(b) whether it is also a fact that the daily out-turn of Typists is more on the Railways as compared to other Central Government Offices; and

(c) the daily out-turn of Typists (exclusively working as Typists) in the Railway Board's Office?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes, because the norms for out-turn are fixed by the zonal Railways according to local experience.

(b) No.

(c) 7,100 words per day.

Ratio of Typists to Clerks on the Indian Railways

2978. Shri Rajdeo Singh: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that in the Zonal Headquarters Offices of the Indian Railways, no ratio of Typists to that of Clerks is being maintained; and

(b) the actual ratio of Typists to Clerks obtaining on the Northern Railway?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) 1:16, the number of Typists being provided on the quantum of typing work and not on the number of clerks.

Overtime Allowance to Typists on Zonal Railways

2979. Shri Rajdeo Singh: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that Typists on the Zonal Railways when asked to sit late hours or called on Gazetted holidays and Sundays, are not given overtime allowance; and

(b) if so, the practice in vogue in the Railway Board's Office in this regard?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Typists on Zonal Railways, like other office staff on Railways are governed by Chapter VI A of the Indian Railways Act under which they become eligible for overtime only if their hours of work exceed the hours prescribed *viz.* 108 hours in a fortnight.

(b) The staff of the Railway Board's Office which is a Ministry of the Government of India, are governed by a separate set of rules applicable to all Secretariat staff.

Seniority of A.S.Ms. on the Southern Railway

2980. Shri Shinkre:
Shri Madhu Limaye:
Shri Manoharan:
Shri Rajaram:

Will the Minister of **Railways** be pleased to state:

(a) the authority to fix seniority of military candidates and how they are clubbed with other non-gazetted and non-military staff in Railways;

(b) the principles in existence to fix the seniority of Asssitant Station Masters when they are first promoted from clerical cadre with special reference, if any, to the military candidates among them and how they are implemented in Madurai and Olavacot Divisions of the Southern Railway;

(c) the reasons for quashing the seniority list published for ASMs. and Cabin Station Masters in the grades of Rs. 80—170 and Rs. 130—240 as on the 31st December, 1958 by the Divisional Officers of the Southern Railway; and

(d) whether any seniority list has been maintained for them now in the scales of Rs. 130—240 and Rs. 205—280, if not, the reasons therefor?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) The seniority of war service candidates recruited against vacancies reserved for them *vis-a-vis* others is fixed in accordance with the orders issued by the Railway Board.

(b) The seniority in the ASM's grade of clerical staff qualified as Assistant Station Masters is fixed *inter se* according to their seniority in the clerical cadre. The benefit of war service for seniority to such of those staff as had been recruited against war reserved vacancies in clerical cadre is given in clerical cadre only.

(c) The seniority list published as on 31st December 1958 did not take into account the weightage admissible to the war service candidates, while fixing their seniority as Commercial clerks.

(d) Yes.

Track-circulating System

2981. Shri Vishwa Nath Pandey:
Shri Kindar Lal:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that some selected Railway Stations in the country are to be brought under the track-circulating system during the current year to minimize rail accidents;

(b) if so, the total number of such Railway Stations; and

(c) the total expenditure proposed to be incurred on this scheme?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) Yes; to minimise rail accidents, Track circulating of the run through main line at a number of way-side stations is being provided in the current year.

(b) 100 stations.

(c) Rs. 1.0 crore approx.

Ghana International Trade Fair

2982. Shri Braj Bihari Mehrotra:
Shri Vishwa Nath Pandey:

Will the Minister of **Commerce** be pleased to state:

(a) whether Government have decided to participate in the First Ghana International Trade Fair which will be held at Accra from 1st to 19th February, 1967; and

(b) if so, what are the Indian goods or articles which will be displayed at the said Fair?

The Minister of Commerce (Shri Manubhai Shah): (a) Yes, Sir.

(b) The Indian goods proposed to be displayed in the Fair are machinery and engineering goods such as machine tools, diesel engines, pumps, electric motors, agricultural machinery and implements, electrical appliances and equipment, surgical equipments etc; manufactured consumer goods such as leather, sports and plastic goods, coir and jute manufactures etc; chemicals and allied products; textiles, both mill-made and handlooms; readymade garments, food products, tobacco & tobacco manufactures and handicrafts. In addition, it is also proposed to disseminate commercial, economic and other information about India during the currency of the Fair.

Clash between Railway Police and Rice Smugglers at Bandel (E. Rly.)

2983. Shri Kindar Lal:
Shri Vishwa Nath Pandey:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that fourteen persons including seven Police men were injured in a clash between a Railway Police squad and rice smugglers in a local train at Bandel Railway Station about 25 miles from Calcutta on the 4th November, 1966; and

(b) if so, the details of the incident and the action taken in the matter?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) and (b). The correct position is that on 4th November 1966 at about 22.00 hours on arrival of M. 152 Down train at Bandel, there had been a clash between the rummaging party and the rice smugglers at the time of checking. As a result of this, four Home Guards, one Havildar and one Constable of the State Government Railway Police Bandel, were assaulted by the smugglers. The State Government Railway Police constable who was admittted in the hospital was allowed to leave the hospital on 15th November 1966 and the 4 Home Guards and Government Railway Police Havildar were, however, allowed to leave the hospital the same day, after receiving first aid.

State Government Railway Police Bendel have registered a case under sections 147|235|323|379 I.P.C. and are investigating into it. 5 persons have so far been arrested and 8.50 Kg. of rice, 12.35 Kg. wheat and 10 Kg. of muri (fried rice) were seized as unclaimed.

Blocking of Public Road under Mouza Bandra, Dum Dum (Calcutta)

2984. Shrimati Renu Chakravartty: Will the Minister of **Railways** be pelased to state:

(a) whether representations have been received against the blocking of public road under Mouza Bandra, P.S., Dum Dum by the erection of an electric Sub-Station 'Birati' S.P., on the Eastern Railway;

(b) whether this road connecting Belgharia and Dum Dum airport was being used by hundreds of passengers and others daily as a convenient and quick route; and

(c) the action taken on the representations?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) Yes, one representation was received on 9th July, 1964 for removal,

of Birati S.P. on the Dum Dum-Bongaon section.

(b) No public road has been blocked by the Birati S.P. and hence the question does not arise.

(c) As the representation also refered to the provision of level crossing, the camplainant has been infomed that the provision of the new level crossing gate is not the liability of the Railway. The demand should come from the local Government and the cost of providing and maintaining the level crossing should be borne by the local Government.

खादी तथा ग्रामोद्योग आयोग के लिए अनुदान

2985. **श्री शिंकरे :**

श्री हुकम चन्द कछवाय :

क्या **वाणिज्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) खादी तथा ग्रामोद्योग आयोग बम्बई को सरकार ने खादी आयोग के विकास के लिये 1961 से अब तक कितनी राशि दी है ; और

(ख) आयोग ने उक्त अवधि में विभिन्न संस्थाओं को कितनी राशि दी ?

वाणिज्य मंत्री (श्री मनुभाई शाह) : (क) 73.13 करोड़ रुपये, जिसमें 8.78 करोड़ रुपये का वह उपदान भी शामिल है जो आयोग द्वारा देय ब्याज की कमी को पूरा करने के लिये दिया गया था और जिसे देते समय आयोग द्वारा वसूल करके सरकार के पास जमा किये गये ब्याज को ध्यान में रखा गया था।

(ख) 106.12 करोड़ रु. । (वितरित की गई 106.12 करोड़ रु० की यह राशि उपरोक्त (क) से अधिक है, क्योंकि सरकार द्वारा दी गई राशियों के अतिरिक्त, आयोग को गत ऋणों की किश्तें वापिस मिलती हैं और उसे ऋण पाने वालों तथा अनुदान पाने वालों से बिना व्यय किये गये अनुदान वापिस मिलते हैं, और वह उनका प्रयोग खादी तथा ग्रामोद्योग कार्यक्रमों के विकास को आगे बढ़ाने के लिये करता है)

Supply Department

2986. **Shri S. M. Banerjee:** Will the Minister of **Supply, Technical Development and Materials Planning** be pleased to state:

(a) whether Government have received any representation to the effect that due to errors in the functioning and working of the Supply Department, the Exchequer has to suffer financial loss amounting to several crores of rupees every year;

(b) if so, the details of the representation; and

(c) the steps Government have taken to set the matter right?

The Minister of Supply, Technical Development and Materials Planning (Shri K. Raghuramaiah). (a) No, Sir.

(b) and (c). Do not arise.

Derailment of Military Special on the N.E.F. Railway

2987. **Shri P. C. Borooah:** Will the Minister of **Railways** be pleased to refer to the statement made by him in the House on the 14th November, 1966 and state:

(a) whether the inquiry into the causes of the derailment of the military special train on the 11th November, 1966 near Pilanshat Railway Station on the North East Frontier Railway has been completed; and

(b) if so, the findings of the inquiry?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) and (b). The final report of the Additional Commissioner of Railway Safety, who enquired into the accident, has not been received

so far. However according to his provisional finding, the accident was due to an act of sabotage.

Train Mishap averted

2988. **Shri Brij Basi Lal:**
Shri Vishwa Nath Pandey:
Shri Braj Bihari Mehrotra:
Shri Ram Swarup:
Shri Balgovind Verma:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that an accident to the 163 Up Burhwal-Sitapur passenger train was averted on the 13th November, 1966 when the Driver applied brakes and brought the train to a halt on spotting some boulders on the track near Parsendi Station; and

(b) if so, the details of the incident?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) On 13-11-1966 at about 15.07 hours, while train No. 163 Up passenger was running between Parsendi and Sitapur Junction stations on Burhwal-Sitapur Section of the North Eastern Railway, the driver stopped the train at Km No. 90|11, as he noticed 4 boulders lying on the track. The boulders were removed immediately and as a result of this, the train suffered detention for 9 minutes only. There was no loss to property or life. The State Government Railway Police Sitapur are investigating the case.

Steel Enquiry Body

2989. **Shri Hari Vishnu Kamath:** Will the Minister of **Iron and Steel** be pleased to refer to the reply given to Starred Question No. 185 on the 4th November, 1966 and state:

(a) whether the requisite data has been collected and placed before the Sarkar Committee;

(b) whether adequate office and residential accommodation has been made available to the Chairman and Members of the Committee; and if not, the reasons therefor;

(c) whether the committee has held any meetings so far and if so, when; and

(d) the stage at which the work of the Committee has reached?

The Minister of Iron and Steel (Shri T. N. Singh): (a) Some data have been collected and made available to the Committee. Further information as required by the Committee as the work proceeds will be collected and made available.

(b) Yes.

(c) The Committee has already met a few times and will now work on a continuous basis.

(d) It will not be possible or proper for the Ministry to make a periodical progress report on the work of an independent Committee presided over by a former Chief Justice of India. The Ministry will, however, keep in close touch with the Committee and facilitate its work in every possible way towards early completion.

डानकुनी स्टेशन पर रेलवे कर्मचारियों ग्रौर पुलिस में मुठभेड़

2990. श्री शिकरे :
श्री हुकम चन्द कछवाय :
श्री यु० द० सिंह :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 9 नवम्बर, 1966 के "हिन्दुस्तान" में प्रकाशित यह समाचार सच है कि पूर्व रेलवे के डानकुनी स्टेशन पर बीस व्यक्ति जिनमें, 11 रेलवे कर्मचारी शामिल हैं, चावल चुराते हुए पुलिस के साथ मुठभेड़ में घायल हो गये थे ; ग्रौर

(ख) यदि हां, तो इस संबंध में क्या कार्यवाही की गई है ?

रेलवे मंत्रालय में राज्य मंत्री (डा० राम सुभग सिंह) : (क) और (ख). जी नहीं। सही स्थिति यह है कि 7-11-66 को लगभग 16 30 बजे डानकुनी स्टेशन पर एक पुलिस उप-अधीक्षक द्वारा गाड़ी न० 176 डाउन से बारह बोरीचावल कब्जे में कर लेने पर चार-पांच सौ तस्करों और वहां तैनात पुलिस दल के बीच दंगा-फसाद हो गया। अपने कर्मचारियों और स्थानीय जनता के साथ सहायक उप-नीरीक्षक रेलवे सुरक्षा दल, डानकुनी ने पुलिस उप-अधीक्षक को यह विश्वास दिलाया कि वह वास्तव में बुक किया गया परेषण है। इस पर उस परेषण को छोड़ दिया गया और हट भीड़ गयी। भीड़ द्वारा पथराव किये जाने से 9 तस्करों, राज्य सरकारी रेलवे पुलिस के एक सिपाही और पुलिस उप-अधीक्षक को हल्की चोटें आयीं। रेल संपत्ति को कोई क्षति नहीं हुई। इस सिलसिले में पुलिस ने पांच व्यक्तियों को गिरफतार किया है। हावड़ा की राज्य सरकारी रेलवे पुलिस ने भारतीय दंड संहिता की धारा 147/148/332 के अधीन एक मामला दर्ज कर लिया है और इसकी जांच हो रही है।

दिल्ली रेलवे स्टेशनों का नवीकरण

2991. श्री यु० द० सिंह :
श्री झिकरे :
श्री हुकम चन्द कछवाय :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार दिल्ली के दो मुख्य स्टेशनों का नवीकरण करने का है ;

(ख) यदि हां, तो इस कार्य पर कितना व्यय होने का अनुमान है; और

(ग) यह कार्य कब पूरा हो जाने की संभावना है ?

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) फिलहाल ऐसा कोई प्रस्ताव नहीं है।

(ख) और (ग). सवाल नहीं उठता।

Import of Maize

2992. **Shri Muthu Gounder:** Will the Minister of **Commerce** be pleased to state:

(a) the quantities of maize imported from U.S.A. in the past three years for food purposes and for making starch to meet commercial needs; and

(b) the prices at which it was imported and the prices at which the maize and the starch made out of it were sold?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). No maize was imported in the past three years for food purposes. The following quantities were imported for the production of starch:

Year	*Quantity imported*	*C.I.F. price at Kandla*
1963-64	53,687 tons	Rs. 1,63,18,938/-
1964-65	1,10,935 tons	Rs. 3,55,20,263/-
1965-66	1,31,208 tons	Rs. 4,53,95,133/-

During 1963-64, starch was sold at Rs. 40-41 per bag of 50 kgs. In 1964-65, the prices remained stationary upto September 1964, but afterwards the prices rose sharply to about Rs. 100 per bag. This tendency was soon brought under control and the starch manufacturers agreed voluntarily to sell the starch at Rs. 57 to 60 per bag during 1965-66.

दो शायिकाओं वाले शयन डिब्बे

2993. श्री यु० द० सिंह :
श्री हुकम चन्द कछवाय :
श्री काशीराम गुप्त

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि दो शायिकाओं वाले शयन डिब्बों में यात्रियों के सामान की रक्षा की कोई व्यवस्था नहीं है;

(ख) यदि हां, तो क्या सरकार का विचार उन डिब्बों में यात्रियों के सामान की रक्षा के लिए वैसी ही व्यवस्था करने का है जैसी व्यवस्था सामान घरों (क्लोकरूम्स) में होती है; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) से (ग). बड़ी लाइन के दो टायर वाले और बड़ी लाइन के बैठने एवं तीन टायर वाले शयन यानों में अलग सामान-कक्षों की व्यवस्था की गयी है जिनमें यात्री अपना सामान जमा करा सकते हैं। शयन यानों में ड्यूटी देने के लिए तैनात विशेष चल टिकट परीक्षकों को सामान-कक्षों में प्राप्त सामान के लिए यात्रियों को टोकन जारी करने होते हैं।

मीटर लाइन के दो टायर वाले शयन-यानों में स्थान सीमित होने के कारण अलग सामान-कक्षों की व्यवस्था नहीं की जा सकी है।

Asbestos Cement Industry

2994. **Shri Nambiar:** Will the Minister of **Industry** be pleased to state:

(a) whether it is a fact that the Asbestos Cement Industry is facing a crisis due to want of raw materials and off-take of produce;

(b) whether the import of necessary raw materials is permitted;

(c) whether it is a fact that workmen in the factories of Asbestos Cement Ltd. at Coimbatore have been notified to lay off due to curtailment of production; and

(d) the steps being taken in this regard?

The Minister of Industry (Shri D. Sanjivayya): (a) There has been a raw material shortage for this industry due to low allocation of foreign exchange during 1965-66, resulting in a fall in production during 1966. There has been a temporary decline in the demand of asbestos cement roofing sheets during 1966. Production during the period January to October, 1966 was 2,52,037 tonnes, compared to 3,54,345 tonnes during January to October, 1965.

(b) Yes, Sir.

(c) Yes, Sir; for four weeks.

(d) The raw material position has since been improved considerably by resuming foreign exchange allocation.

Decline in Railway Goods Traffic

2995. **Shri P. C. Borooah:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that goods traffic carried by the Railways has been coming down from year to year;

(b) if so, the extent of originating traffic moved by the Railways in 1964-65 and 1965-66 and in the first half of this year; and

(c) the reasons for this reduction and the extent of surplus capacity with the Railways?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) No, Sir. The goods traffic has, in fact, been going up from year to year.

(b) The originating tonnage of goods traffic increased from 193·8 millions in 1964-65 to 203·1 millions in 1965-66. The tonnage of originating goods traffic in the first half of 1966-67 was approximately 97·13 millions, which represents an increase of 2·19 million tonnes over the first half year of 1965-66.

(c) Does not arise.

Staff on ex-BKS Bikaner Division

2996. **Shri P. L. Barupal:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the staff on ex-BKS portion of Bikaner

Division were given *ad hoc* classification pending factual job analysis in the year 1953-54;

(b) if so, whether it has been finalised on the basis of assessment of the work under the obligation of para 71 (a) of Hours of Employment Regulation;

(c) whether it is a fact that the *ad hoc* classification has now been declared as final by the General Manager without actual assessment of work in contravention of para 22 of Hours of Employment Regulation Hand Book; and

(d) if so, the authority for doing so?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) Yes.

(c) and (d). No. The classification of staff has been determined by the prescribed authority in accordance with the statutory provisions.

Hours of Employment Regulation

2997. Shri P. L. Barupal: Will the Minister of Railways be pleased to state:

(a) whether adequate staff for proper maintenance of the provisions of Hours of Employment Regulation have been provided on Bikaner Division as per recommendations of the late Justice Rajadhayaksha;

(b) if so, the yardstick applied for appointing such staff; and

(c) in case no yardstick has been finalised, the reasons for delay and the time by which it is likely to be finalised?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) Staff are posted according to the work load.

(c) Does not arise.

Pig Iron Plant at Mangalore

2999. Shrimati Savitri Nigam:
Shri H. C. Linga Reddy:

Will the Minister of Iron and Steel be pleased to state:

(a) whether it is proposed to instal a Pig Iron Plant at Mangalore making use of the Iron Ore found at Kuduremukha in Mysore State;

(b) whether the State Government have made a recommendation in this behalf; and

(c) if so, the details thereof?

The Minister of Iron and Steel (Shri T. N. Singh): (a) and (b). No, Sir.

(c) Does not arise.

Corruption in Reservation of Third Class Sleeper Coach

3001. Shri Dinen Bhattacharya:
Shri Imbichibava:
Shri M. N. Swamy:
Shri Laxmi Dass:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the General Secretary of the Federation of Medical Representatives' Association of India brought to the notice of Government a case of corruption in connection with the reservation of Third Class sleeper coach on the Northern Railway; and

(b) if so, whether Government have taken any steps to prevent the malpractices in such cases and if so, the nature of the steps taken?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes. A complaint has recently been received.

(b) Necessary machinery already exists to check irregularities in the matter of Booking and Reservation. However, the complaint received is under investigation. Follow up action, as necessary, will be taken on the

basis of investigations, when completed.

Bakanj and Junehta Stations on Central Railway

3002. Shri Hari Vishnu Kamath: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that Bakanj and Junehta Stations on the Central Railways have not been opened for passenger booking;

(b) if so, the reasons therefor; and

(c) when booking for passenger traffic will commence at both these stations?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) Yes.

(b) and (c). Bakanj and Junehta are crossing stations opened for operational convenience. A proposal to open these crossing stations for passenger traffic is under examination.

Additional train on Jabalpur-Itarsi Section

3003. Shri Hari Vishnu Kamath: Will the Minister of Railways be pleased to state:

(a) whether in response to frequent representations made by railway users of the region, Government propose to introduce an additional passenger train on the Itarsi-Jabalpur Section of the Central Railway;

(b) if so, from what date; and

(c) if not, the reasons therefor?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) to (c). Introduction of an additional train on the Itarsi-Jabalpur section is not operationally feasible, at present, for want of spare line capacity on the section, and also requisite terminal facilities at Jabalpur and Itarsi. This section is at present in the process of being doubled. After completion of the doubling and the provision of requisite terminal facilities at Jabalpur and Itarsi, which are also planned, the question of running an additional train on this section will be considered.

बजराजनगर स्टेशन पर दो मालगाड़ियों की टक्कर

3004. श्री शिंकरे :
श्री हुकम चन्द कछवाय :
श्री य० द० सिंह :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि

(क) क्या 11 नवम्बर, 1966 के "नवभारत टाइम्स" में प्रकाशित यह समाचार सच है कि हावड़ा—बम्बई सेक्शन के बजराज नगर रेलवे स्टेशन पर दो मालगाड़ियों के बीच टक्कर हो जाने के कारण रेलवे यातायात रुक गया था ;

(ख) यदि हां, तो दुर्घटना के क्या कारण थे; और

(ग) इस बारे में क्या कार्यवाही की गई है ?

रेलवे मंत्रालय में उपमंत्री (श्री शाम नाथ) : (क) दुर्घटना 11-11-66 को लगभग 22·25 बजे हुई ।

(ख) दुर्घटना के कारण की जांच की जा रही है ।

(ग) जांच पूरी हो जाने के बाद उपयुक्त कारंवाई की जायेगी ।

Staff in Diesel Locomotive Works, Varanasi

3005. Shri Sarjoo Pandey: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that in the Diesel Locomotive Works, Varanasi, Lien-holder I.O.Ws, A.I.O.Ws and W.Ms *viz.*, who came on transfer deputation during construction period

and were even benefited with three advance increments are being absorbed against the permanent vacancies, whereas the "Direct Recruits" *viz.* selected through Railway Service Commissions or duly constituted Selection Boards, particularly for that project, are being reverted or sent elsewhere; if so the reasons therefor;

(b) the reasons for not giving the three advance increments to the "Direct Recruits" who also served like the Lien-holders; and

(c) the reasons for not absorbing/confirming the "Direct Recruits" against higher Grades?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) No.

(b) The advance increments are given as an incentive to the experienced serving employees who are selected and transferred from Railways for manning the posts in production units of National importance.

(c) The permanent cadres have only recently been formulated as the Project has only just come out of its initial stages and absorption-confirmation of the staff in the respective cadres is now in hand.

Heavy Electricals Ltd., Hardwar

3006. Shri Priya Gupta: Will the Minister of Industry be pleased to state:

(a) whether the Management of Heavy Electricals, Hardwar sent two batches of 74 and 63 Engineers for different durations to USSR for training;

(b) whether for the first batch, allocation of fields of specialisation was communicated to USSR after 8 months causing delay in training and for the second batch fields of specialisation were changed after 8 months causing loss of time; and

(c) whether directly-recruited graduates without any training were selected for training superceding the claims of trained Engineers and if so, why?

The Minister of Industry (Shri D. Sanjivayya): (a) No, Sir. The duration of training for both the batches was the same, namely, 18 months.

(b) The first batch consisting of 74 Engineers was sent to USSR in May 1963 and the allocation of their specialisation was made after their arrival in USSR, that is in July 1963. Change in specialisation in two cases was made in November, 1963.

The second batch of 63 Engineers was sent to USSR in two groups; 26 in July, 1964 and 37 in November, 1964. Change in specialisation of 5 Engineers was made in February, 1965; in the case of 2 other Engineers specialisation was changed in March, 1965.

(c) Engineers were selected for training on the basis of their aptitude and potential for usefulness to the project and not on the basis of their past training only.

Casual Labourers on Railways

3007. Shri Priya Gupta: Will the Minister of Railways be pleased to state:

(a) whether the casual labourers brought on the Central Pay Commission scales of pay on completion of 6 months prescribed period are denied arrears of pay on the plea of the Limitation Act;

(b) if so, the number of casual labourers so deprived of their arrears of pay (Railway-wise);

(c) whether Government propose to compensate the financial loss to the casual labourers; and

(d) the steps taken to avoid administrative delays in future in fixing the casual labourers in the Central Pay Commission Scales?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) No.

(b) to (d). Do not arise.

Burning of Phagwara Railway Station

3008. Shri Brij Basi Lal:
Shri Vishwa Nath Pandey:
Shri Braj Bihari Mehrotra:
Shri Ram Swarup:
Shri Balgovind Verma:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that an angry mob of students ran-sacked and set fire to Phagwara Railway Station (Punjab) on the 17th November, 1966; and

(b) if so, the total amount of loss to the railway property caused thereby?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) Rs. 8,651|-.

Management of Tiruvannoor Spinning and Weaving Co.

3309. Shri A. K. Gopalan:
Shri P. Kunhan:
Shri Laxmi Dass:
Shri Dinen Bhattacharya:

Will the Minister of **Commerce** be pleased to state:

(a) whether Government signed an agreement with the management of Tiruvannoor Spinning and Weaving Company in Kerala State before handing over the company to the management;

(b) if so, whether the agreement has been implemented by the management; and

(c) if not, the action taken by Government against the management?

The Minister of Commerce (Shri Manubhai Shah): (a) to (c). The hon'ble members are presumably referring to the Malabar Spinning & Weaving Co. Ltd., Kallai, Calicut, which was facing acute financial difficulties in 1958, and to which the Kerala Government gave a loan on the mortgage of the property of the mill company. The mills were under the State Government's management from 1959 to 1963 when the management was taken over by the Board of Directors. As it is a matter for the State Government, the Central Government do not have information regarding the terms of the agreement entered into by that Government with the management of these mills.

Staff Quarters in Sen Nagar Railway Colony, Bombay

3010. Dr. Ranen Sen: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Railway Board had decided *vide* their Order No. F(x) II-52/TX-33/13, dated the 22nd July, 1955 that the recovery of charges from ex-B.B. & C.I. Railway Staff occupying Railway quarters for general conservancy services provided by the Railway Administration should be discontinued with immediate effect;

(b) if so, whether it is a fact that such charges were recovered from Railway staff occupying staff quarters in "Sen Nagar" Railway Colony, Santa Cruz, Bombay (East) from 1955 to 1962; and

(c) if so, the reasons therefor?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) to (c). Prior to 1955, the practice in regard to the recovery of charges from non-gazetted staff, for conservancy services rendered inside the quarters, was not uniform on the different Railways. This practice was standardised in 1955 with the issue of the Ministry of Railways' letter No. F(X)II-52|TX-33|13 dated 22nd July, 1955. Under this letter, it was decided that, as a general rule, the tenant will pay for indoor conservancy or services rendered inside the quarter. The fixation of the rate of recovery for such indoor services was left to the individual Railway Administrations.

On the Western Railway, cleaning of latrines whether community type or otherwise, by railway conservancy staff was treated as indoor conservancy service and no revision of the conservancy charges was considered necessary in terms of Board's orders quoted in para 1 above in respect of Sen Nagar Colony. Subsequently, on representations from the recognised unions, the matter was reviewed and it was decided that with effect from 1st July, 1962 no conservancy charges should be levied in the case of community latrines, treating them as a general conservancy service.

Bath Room for Third Class Passengers at Tirunelveli Junction

3011. **Shri Muthiah:** Will the Minister of Railways be pleased to state:

(a) whether his Ministry is taking any steps to provide a bath room for Third Class passengers in Tirunelveli Junction Railway Station before the end of 1966, as assured by the Minister of State in August, 1965 when he visited Tirunelveli, in view of the fact that it is absolutely necessary, as a large number of people pass from there *en route* to Kanya Kumari; and

(b) whether he would issue orders immediately for the construction of the bath room?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes. An estimate providing for improvements to third class waiting hall, and bath room for third class passengers has since been sanctioned and the work is being taken up.

(b) Does not arise.

Production of Locomotives and Wagons

3012. **Shri Muthiah:** Will the Minister of Railways be pleased to state:

(a) the number of steam, electric and diesel locomotives manufactured in India upto the 31st October, 1966;

(b) the number of wagons manufactured in India upto the 31st October, 1966; and

(c) the number of wagons in demand in 1966 and the number of wagons supplied in 1966 so far?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) The production of locomotives from commencement has been as under:—

(i) *Steam Locomotives*			
Broad Gauge	—	2049	(By Chittaranjan Locomotive Works);
Metre Gauge	—	983	(By Tata Engineering & Locomotive Co.)
(ii) *Electric Locomotives*			
Broad Gauge :			
D.C.	—	21	(By Chittaranajan Locomotive Works)
A.C.	—	89	Do.
(iii) *Disel Locomotives;*			
Broad Gauge :			
Main Line	—	85	(By Diesel Locomotive Works)
Shunter	—	1	Do.

(b) 2,03,046 vehicle units from beginning of 1st Plan i.e. from 1st April, 1951 to 31st October, 1966.

(c) The number of wagons planned for production during 1966 was 16,370 vehicle units against which 13,328 vehicle units have been supplied upto the end of October, 1966 and 2,580 vehicle units more are expected to be supplied during the remaining two months of 1966.

Purchase of Non-Ferrous Metals by M. M. T. C.

3013. **Shri Sarjoo Pandey:** Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that a large-scale firm acts as an agent of Minerals and Metals Trading Corporation Ltd., for their purchases in foreign market; and

(b) if so, the details with regard to the purchases of Non-ferrous metals in foreign market by M.M.T.C.?

The Minister of Commerce (Shri Manubhai Shah): (a) No, Sir.

(b) Does not arise.

Purchase of Non-Ferrous Metals by M. M. T. C.

3014. **Shri Sarjoo Pandey:** Will the Minister of Commerce be pleased to state:

(a) the rates at which the Minerals and Metals Trading Corporation of India Ltd. purchased non-ferrous metals during the last one year; and

(b) whether Government are aware that the scheduled industries are able to purchase non-ferrous metals at cheaper rates?

The Minister of Commerce (Shri Manubhai Shah): (a) Two statements furnishing the relevant information are laid on the Table of the House. [*Placed in Library. See* No. LT-7563/66).

(b) Non-ferrous metals prices in the international market fluctuate daily; on some days fairly widely. Under such circumstances, it is always possible that some imports might be effected at cheaper rates at a time when the prices show a downward trend.

Allotment of Non-Ferrous Metals

3015. **Shri Sarjoo Pandey:** Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that the requirements of large-scale industries consuming non-ferrous metals are canalised through M.M.T.C. or were previously canalised through the S.T.C.; and

(b) if so, the reasons therefor?

The Minister of Commerce (Shri Manubhai Shah): (a) No, Sir

(b) Does not arise.

उत्तर रेलवे में जल पान - गृह तथा रेस्तरां

3016. **श्री प० ला० बारूपाल :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) उत्तर रेलवे के सब स्टेशनों पर शाकाहारी तथा मांसाहारी कितने जलपान गृह तथा रेस्तरां हैं;

(ख) इन स्टेशनों पर लाइसेंस-प्राप्त कितने खोमचे वाले हैं; और

(ग) लाइसेंस-प्राप्त खोमचे वालों में कितने खोमचे वाले अनुसूचित जातियों तथा अनुसूचित आदिम जातियों के हैं ?

रेलवे मंत्रालय में राज्य मंत्री (डा० राम सुभाग सिंह) : (क) से (ग). सूचना इकट्ठी की जा रही है और सभा-पटल पर रख दी जायेगी।

Electrical Manufacturing Co.

3017. **Shri Badruddupa:**
Shri Madhu Limaye:
Shri Rajeshwar Patel:

Will the Minister of **Industry** be pleased to state:

(a) whether it is a fact that the Electrical Manufacturing Company was black-listed by the Ministry of Industry recently;

(b) whether the information was conveyed to the Joint Chief Controller of Imports and Exports;

(c) whether despite this information licenses were issued to this black-listed Company;

(d) whether the Electricity Boards, State Governments and other Central Government Departments were informed;

(e) whether any action has been taken against the Officers involved;

(f) whether anything was seized from the Government Officers/Company; and

(g) the stage reached in the inquiry/prosecution launched against the Officers/Company?

The Minister of Industry (Shri D. Sanjivayya): (a) to (g). An order placing Electrical Manufacturing Co. Ltd., Calcutta on the black list was issued on 24-6-1966. The Company have filed a Civil Writ Petition against the order in the Hon'ble High Court of Calcutta. The matter is thus *sub-judice*.

Attempt to blow up culvert near Nayagaon Station

3018. **Shri Brij Bihari Mehrotra:**
Shri Vishwa Nath Pandey:
Shri Ram Harkh Yadav:
Shri Shinkre:
Shri Hukam Chand Kachhavaiya:
Shri Y. D. Singh:

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that in an abortive attempt to blow up a culvert near Nayagoan Station on Chupra-Sonepur Section of the N.E. Railway about 10 miles from Hajipur (Bihar) on the 13th November, 1966, one out of three bombs planted on the track exploded, injuring one person and the remaining two bombs were seized;

(b) if so, the reaction of Government thereto; and

(c) the action taken against the persons arrested?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) to (c). The correct position is that on 13-11-66, there were 4 country made bombs, out of which one exploded near the culvert on the western end of Nayagaon Railway Station platform. The remaining 3 bombs were found near the place of occurrence. Two boys aged 18 and 11 years who were injured due to the explosion, were arrested. The case is still under investigation by the Police. The arrested boys are the residents of village Nayagaon, Police Station Sonepur, District Chupra.

CORRECTION OF ANSWERS TO UNSTARRED QUESTION NO. 464, DATED 4-11-1966 REGARDING EXPANSION OF DURGAPUR ALLOY STEEL PLANT

The Deputy Minister in the Ministry of Iron and Steel (Shri P. C. Sethi): In my reply to Unstarred Question No. 464 given in the Lok Sabha on the 4th November, 1966, I stated as follows:

> "It has been decided that the capacity of the Alloy Steel Plant at Durgapur will be increased from 1 million ingot tonnes to 3 million ingot tonnes. A project report for the expansion is being commissioned."

There was a typographical error in the figures and the reply referred to above should be as follows:

> "It has been decided that the capacity of the Alloy Steel Plant

at Durgapur will be increased from 8.1 million ingot tonnes to 0.3 million ingot tonnes. A project report for the expansion is being commissioned."

12.05 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

EVICTION OF GOVERNMENT EMPLOYEES AT PORT BLAIR AND OR REST OF LEADERS

Shri S. M. Banerjee (Kanpur): Sir, I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:

"Eviction of Government employees at Port Blair and arrest of leaders."

I may add that my notice mentioned about the hunger strike also by the leaders.

The Minister of Home Affairs (Shri Y. B. Chavan): In order to take action against unauthorised occupation of Government land, the Administration of Andaman Islands demolished six and sealed off three unauthorised structures between 19th November and 26th November 1966. Orders of demolition etc. were passed by the Estate Officer of the Islands under the provisions of Public Premises (Eviction of Unauthorised Occupants) Act, 1958. 8 families were affected and they found for themselves alternative shelter. No other Government employees has been evicted. This action led to agitation and 114 persons including Shri P. K. S. Prasad President, Non-Gazetted Officers Association, have been arrested under various sections of I. P. C. and Cr. P. Code etc.

Shri S. M. Banerjee: From the statement it appears that all those who had been evicted are Government employees and 114 persons including Shri Prasad, President, Non-Gazetted officers association have been arrested under various sections. We do not know what the sections are. I have received a telegram yesterday: Prasad's life in danger. He has been in jail and he is continuing the hunger strike against unauthorised eviction of the authorised persons. The telegram says: prasad's life in danger: administration forcibly arrested all leaders of Government employees. So, the leaders of Government employees have been arrested and he is fasting for the fourth day. It says: pray expedite intervention. I would like to know whether Mr. Prasad and others who had been arrested had been released and whether it is a fact that the commissioner has taken advantage of isolation of the island and let in a reign of terror and all the Government employees have been terrorised so as not to make them join this movement.

Mr Speaker: Not so many questions.

Shri S. M. Banerjee: We expected a better statement, Sir. I would like to know whether he has been released.

Shri Y. B. Chavan: I could give only the facts that I have got at this stage from the administration of the Andamans. I have placed it before the hon. Members. The question of certain unauthorised occupation raises the question of accommodation for some people and I know that this question will have to be looked into with some sympathy. But what is happening, there is some sort of a political agitation and I am told that there is some sort of a *satyagraha* and so some people have been arrested for encroachment of certain areas and four or five persons are arrested under section 309. Possibly they started some fast, etc. in the different places. That seems to be the reason.

Shri S. M. Banerjee: Why not send an officer from the Home Ministry? The whole of Port Blair is ablaze.

Shri Y. B. Chavan: Nothing is ablaze there.

Shri Umanath (Pudukkottai): From a statement by a representative in the council, it appears that the chief commissioner: said let all die; I

(Shri Umanath)
am permanent and at the most I may be transferred, they can do nothing more. On former occasions also when some sort of a struggle was there, the commissioner is reported to have said: I am fond of hearing the police firing sounds. In view of all this, does the Home Minister propose to call the administrator here and discuss with him the situation and advise him to give maximum normal facilities of negotiations and sympathetic consideration? If not, do the Government propose to recall that officer and replace him with another officer? It is an island, cut of from the other places.

Shri Y. B. Chavan: I can certainly assure this hon. House that as far as human lives and human problems are concerned they will be considered sympathetically. There is no doubt about it. I can assure them. But apart from that, as regards other allegations, I cannot express my views unless I know the facts.

Shri Umanath: It is from a representative member of the council.

Shri Indrajit Gupta (Calcutta South West): From the statement I think it is possible to infer why this agitation or whatever it is has taken place, because the statement says three families were evicted. That itself is rather peculiar because the number of structures demolished is nine. It says, "demolished six and sealed off three structures." Anyway, these three families were affected and they found for themselves alternative shelter. That means, I want to know whether it is a fact that even when the people the families are being chucked out is it not the responsibility of the administration to provide them with alternative shelter before they are evicted. Even that responsibility has not been undertaken. It is clear from this. So, may I know (a) whether a stop will be put to further demolition of structures and this kind of cruel eviction and (b) whether the people who are justifiably agitated against this would be released instead of being locked up?

Shri Y. B. Chavan: I should like to correct one thing. The statement that was circulated possibly does not show the correction that I read. It is not three families; it is eight families who are evicted. That answers the first part of the question. I got that information just before I walked in here.

As far as the problem is concerned, we found that there was certainly a large number of cases of unauthorised occupation. And so in 1965 they had taken a decision to regularise certain unauthorised occupation before 1961. It seems to be a continuous process. There is a shortage of land available in the municipal area, because, when there is shortage, normally such questions do arise. Before evicting certain types of persons the question of alternative accommodation will have to be considered, and that is a human problem. I said we will consider it sympathetically.

Shrimati Renu Chakravartty (Barrackpore): Andamans is very far away and all our information is that the Chief Commissioner and many of the officers over there feel that they are real jagirdars who can say and do whatever they like, because the Central Government or any other authority is not there. And that is why the Chief Commissioner is like that. In our telegram they say that hundreds of innocent public are arrested and women and children are thrown out of their homes and there is hunger-strike inside the Andaman cellular jail. There seems to be quite an agitation over there. I would therefore like to know why the Chief Commissioner has insisted on refusing to meet them or to negotiate with them and deal with it as a human problem, as you yourself have said and whether you will instruct the Chief Commissioner more diately to start negotiahtions, because the Central Government has given no quarters to those employees and it is a place where we should give the greatest amount of sympathy. You have to look into it personally.

Shri Y. B. Chavan: As I said, as far the human problem is concerned, I will certainly look into it. It is my duty to look into it and I shall do it.

Shri P. R. Chakraverti (Dhanbad): Keeping in view the fact that the image of Andaman and Nicobar has never been fair, will the Government advise the local administration or authority to deal with this problem more judiciously and carefully?

Shri Y. B. Chavan: Yes, Sir.

श्री विश्वनाथ पाण्डेय (सलेमपुर) : श्रीमन् अभी मन्त्री महोदय ने पोर्ट ब्लेयर में सरकारी कर्मचारियों के निष्कासन और नेताओं की गिरफ्तारी के सम्बन्ध में जो वक्तव्य दिया है उसमें अंकित किया है कि अवैध रूप से लोगों ने कब्जा कर लिया है तो मैं यह जानना चाहता हूं कि क्या उन लोगों ने मकानों का ही कब्जा कर लिया है या अन्य जमीन इत्यादि का भी कब्जा कर लिया है और उस के सम्बन्ध में सरकार की क्या प्रतिक्रिया है ?

Shri Y. B. Chavan: If I understood the hon. Member correctly, he wants to know whether they were evicted from the huts that they had built up there without any authority. They have been evicted from that place. My first information was that they had made some arrangement of their own for alternative accommodation. That is the information I have got at the present moment.

Shri Dinen Bhattacharya (Serampore): As a large number of East Pakistan refugees have been sent to Andamans for resettlement, this situation has caused serious agitation and concern in West Bengal also because the evicted persons are mostly from East Pakistan. Not only there is a reign of terror there, but the system of land distribution and fixation of rent is almost a chaos. Taking advantage of the position, the authorities entrusted with the task of collecting revenues are doing it according to their sweet will, almost fleecing the people, which has also caused an agitation there.

Shri Y. B. Chavan: I do not think the question of any refugees from East Pakistan as such is involved in this. I tried to look into the size of this problem. I am told the present number of unauthorised occupants is less than 100; it is not such a huge problem. But I certainly think there is a problem about land distribution. I will discuss this with the Chief Commissioner who is likely to come to Delhi this month.

Shri Vasudevan Nair (Ambalapuzha): Besides the leader of the NGO's association who are on hunger strike in jail, we are told that 4000 employees are on fast from Tuesday onwards. Does he have any information about this and will he immediately send some of his emissaries to Andamans if necessary and settle it with the employees?

Shri Y. B. Chavan: I have not got any particular report about the fast. I am in constant communication with the Chief Commissioner about this.

Shri H. N. Mukherjee (Calcutta Central): In view of the fact that Government employees particularly in a very isolated region like Andamans are not very likely to take recourse to the kind of action which they have been compelled to take and in view of the comparatively sympathetic attitude which the Minister is showing now, may I know how is that in spite of the communication exisisting between Delhi and Port Balair, the Chief Commissioner has been permitted to see that the position has been aggravated to the extent of hunger strike taking place for a long period and a big agritation by Government employees taking place outside the prison gates? May I know whether the Minister will try to correct the situation in as quick a time as possible?

Shri Y. B. Chavan: I do not know who precipitated the matter. The leaders of the NGO Karmacharis also might have precipitated it. I do not know.

Shri Umanath: Demolition was the provocation.

Shri Y. B. Chavan: Unauthorised occupation was the provocation.

Shri Nambiar (Tiruchirapalli): The Home Minister is new to the ministry, but the Andaman affair is an old one. We have repeatedly raised this issue on the floor of the House. Why is it that the Home Minister did not take proper care to see that this problem is solved earlier? He could have collected the entire material and presented it before the House today, because the question has been placed before him many days earlier. May I know what immediate steps he would take to remove that Chief Commissioner against whom we have raised several issues earlier? The Lok Sabha record will prove that. Removing an officer is a small matter. Will he do it?

Mr. Speaker: The removal of the officer is not to be decided here now.

Shri Y. B. Chavan: There is no question of removal of the Chief Commissioner. We cannot hang a person for no fault of his.

Shri Nambiar: You can recall him.

Shri Y. B. Chavan: There is no question of recalling. It is true the question is old and I am new. Therefore, I am applying my fresh outlook on it. That is an advantage. I will certainly look into the problem sympathetically, but I cannot say the entire blame can be laid on the Chief Commissioner.

Dr. Saradish Roy (Katwa): In view of the fact that 114 Government employees have been arrested and there is much discontent, may I know whether the Government would consider the question of release of these arrested employees?

Shri Y. B. Chavan: They have been arrested under certain sections, etc. I cannot give any such assurance straightaway.

डा० राम मनोहर लोहिया (फर्रुखाबाद): इस अंडमन के सवाल पर मैंने पहले बहुत दफे आप को लिखा है। सवाल वगैरह भी भेजे थे। हां इस पर नहीं लिखा। क्या आप मुझ को इसके लिये इजाजत देंगे क्योंकि मैंने कई दफे पहले लिखा है।

अध्यक्ष महोदय: नहीं साहब।

12.21 hrs.

PAPERS LAID ON THE TABLE

ORDER UNDER INDUSTRIES (DEVELOPMENT AND REGULATION) ACT

The Minister of State in the Ministry of Industry (Shri Bibudhendra Misra): On behalf of Shri D. Sanjivayya, I beg to lay on the Table a copy of Order Published in Notification No. S.O. 2001 in Gazette of India dated the 30th June, 1966, under sub-section (2) of section 18A of the Industries (Development and Regulation) Act, 1951. [*Placed in Library See* No. LT-7489/66].

ANNUAL REPORT OF MINERALS AND METALS TRADING CORPORATION OF INDIA

Shri Manubhai Shah: I beg to lay on the Table:

(1) (i) A copy of the Annual Report of the Minerals and Metals Trading Corporation of India, Limited, New Delhi, for the year 1965-66 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(ii) Review by the Government on the working of the above Company. [*Placed in Library. See* No. LT-7490/66].

(2) A copy of Notification No. S. O. 3522 published in Gazette of India dated the 21st November, 1966 issued under sec-

tion 5 of the Essential Commodities Act, 1955. [*Placed in Library. See* No. LT-7491/66].

ANNUAL REPORT OF INDIAN AIRLINES CORPORATION

The Minister of State in the Ministry of Transport and Aviation (Shri C. M. Poonacha): I beg to lay on the Table—

(1) A copy of the Annual Report of the Indian Airlines Corporation for the year 1965-66, under sub-section (2) of section 37 of the Air Corporation Act, 1953. [*Placed in Library. See* No. LT-7492/66].

(2) A copy of the Certified Accounts of the Indian Airlines Corporation for the year 1965-66 together with the Audit Report thereon, under sub-section (4) of section 15 of the Air Corporations Act, 1953. [*Placed in Library. See* No. LT-7494/66].

(3) A copy of the Certified Accounts of the Air India for the year 1965-66 together with the Audit Report thereon, under sub-section (4) of secton 15 of the Air Corporations Act, 1953. [*Placed in Library. See* No. LT-7494/66].

AMENDMENT TO KERALA STATE AGRICULTURAL LOAN RULES

The Deputy Minister in the Ministry of Food, Agriculture, Community Development and Cooperation (Shri Shyam Dhar Misra): I beg to lay on the Table a copy of Notification S.R.O. No. 411|66 published in Kerala Gazette dated the 1st November, 1966, making certain amendment to the Kerala State Agricultural Loan Rules, 1962, under sub-section (3) of section 9 of the Kerala Agriculturists Loans Act, 1961, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-president, discharging the functions of the President in relation to the State of Kerala. [*Placed in Library, See* No. LT-7495/66].

NEWSPRINT CONTROL (FIRST AMENDMENT ORDER

The Minister of Commerce (Shri Manubhai Shah): On behalf of Shri Mohammad Shafi Qureshi I lay on the Table a copy of the Newsprint Control (First Amendment) Order, 1966 published in Notification No. S.O. 2708 in Gazette of India dated the 6th September, 1966, under sub-section (6) of section 3 of the Essential Commodities Act, 1955 [*Placed in Library. See* No. LT-7496/66].

12.23 hrs.

RE: RESIGNATION OF MEMBER

श्री लक्ष्मी दास (मरयालगुडा) : अध्यक्ष महोदय, केवल इसके कि मैं अपना इस्तीफा दूं, मैं आप के सामने कुछ निवेदन करना चाहता हूं । आप मुझे इजाजत दें तो मैं अपनी बात दो मिनट में खत्म कर दूंगा ।

अध्यक्ष महोदय : कल इस मामले पर लोकसभा में बहस हो चुकी है । मेरी दरख्वास्त है कि जब तक हम रूल्स को न बदलें तब तक मैं इस की इजाजत नहीं दे सकता ।

श्री लक्ष्मी दास : सरकार ने विशाखापटनम में स्टील प्लान्ट कायम न करके वहां पर जो दमन का काम शुरू किया है उसके खिलाफ मैं इस्तीफा देना चाहता हूं । आज वहां पर लोग हंगर स्ट्राइक कर रहे हैं . . .

अध्यक्ष महोदय : अब यह रेकार्ड पर नहीं आयेगा । (व्यवधान)

श्री लक्ष्मी दास : **

अध्यक्ष महोदय : मैंने कल भी कहा था इस के बारे में । कल बहस हो चुकी है . . .

श्री लक्ष्मी दास : **

श्री मौर्य (अलीगढ़) : यहां दो भाषण चल रहे हैं । हमारे सामने कुछ नहीं आ रहा है ।

श्री लक्ष्मी दास : ** (व्यवधान)

**Not recorded.

अध्यक्ष महोदय : अब आप बैठ जायें। मैंने आप को सुन लिया।

Shri H. N. Mukerjee (Calcutta Central): Sir, you have been pleased to direct that what the hon. Member over there says would not be recorded. So many things get recorded in the proceedings of the House. Accusations against ministers of a very serious order regarding corruption and that sort of thing go on record. All sorts of things happen. But when hon. Members resign from their membership of the House on account of something which they hold to be important and if they want indulgence of the House for half a minute to tell the House about the reasons for their action you put your foot down. It may be that under the rules you are quite entitled to do that, but are we going to have a rigid interpretation of the rules when we find that in this House every day all kinds of things are being said on either side of the House? I am not making any discrimination. Things get recorded in the proceedings of the House which on any parliamentary computation would never be recorded. Yet, when a matter which is really relevant to the proceedings, when a co-Member of ours is leaving the House and saying good-bye even before the time for doing so, when such a matter comes up, he is not able to have his say. I cannot understand the proceedings. After 15 years, at the end of my tether, as far as my understanding of parliamentary proceedings is concerned. I may tell you,—I may be completely in the wrong and it may be that I am or I cannot understand—when a Member resigns, he has a right to say something.

Shri Nambiar (Tiruchirapalli): Sir, I understand the hon. Member has already given you in writing that he wants to make a statement (*Interruptions*).

Mr. Speaker: Order, order. I kept patient and I maintanied my patience for half a minute when he said why he was resigning.

An Hon. Member: That has not gone on record.

Mr. Speaker: That has gone on record. What I said and what he said have gone on record. That was recorded. I allowed him that much latitude. Afterwards I said that I was not going to allow any long statement to be recorded.

Shri Hari Vishnu Kamath (Hoshangabad): He said "I am resigning". It does not mean "I have resigned".

श्री लक्ष्मी दास : ** (व्यवधान)

Shri Hari Vishnu Kamath: "I am resigning", does not mean "I have resigned."

Shri Hem Barua (Gauhati): May I make a submission?

Mr. Speaker: No, Sir. Yesterday we had enough discussion on that.

Shri Hem Barua: Yesterday you were within your rights under the rules, because there was no rule to cover this. Therefore, you did not allow the resigning member to make a statement. But today's case is quite different. The hon. Member, Shri Laxmi Dass, has already written to you, seeking an opportunity for making a submission. He has not submitted his resignation letter. At the same time, in the resignation letter which he proposes to submit, he says that he wants to resign the membership of this House from 16 hours, that is, 4 P.M. today. So, he continues to be a member. Yesterday, your objection was this, because the member resigned there was no rule under which you could allow him to make a statement. But today the case is different. He wants to make a humble submission. Whenever we rightly seek your kind permission to make a submission, you allow us to do so. Today also, in the interest of the

**Not recorded.

resigning member and in the interest of the House, because he is going to say good-bye to us for a long time, out of humanitarian considerations, and I know how much of a human being you are I hope you will give him an opportunity to make his submission.

Mr. Speaker: More often rather adverse criticism is made against me that I do not have sympathy. Now I am obliged to Shri Hem Barua that he gives me that much of consideration.

Shri Hem Barua: I always do so.

Mr. Speaker: Yesterday, we had a discussion on this for about one hour and I expressed my difficulty in that respect. Of course, I am obliged to Shri Hiren Mukerjee that he always uses good language and it is good that I always learn from him. But I am bound by the rules. I have expressed my difficulty. After hearing the members yesterday it was agreed and the Leader of the House also consented, that we will amend the rules.

Shri Hem Barua: Yes, the House has agreed to amend the rules.

Mr. Speaker: We will amend that. But until they are amended, I have to go by the present rules. Now, Shri Krishnamoorthi Rao.

12.26 hrs.

COMMITTEE ON, PRIVATE MEMBERS BILLS AND RESOLUTIONS

MINUTES

Shri Krishnamoorthy Rao (Shimoga): I beg to lay on the Table the Minutes of the Ninety-sixth to Hundredth sittings of the Committee on Private Members' Bills and Resolutions held during the current session......

श्री बागड़ी (हिसार) : मेरा व्यवस्था का प्रश्न है । उस को ग्राप सुन लीजिये । मैं ग्राप से इस प्रश्न पर व्यवस्था चाहता हूं । कि जो ग्राप यह सदन चलाते हैं मैं उस को कायदे के मुताबिक नहीं समझता हूं । एक माननीय सदस्य जब बोल रहे हों तब ग्राप दूसरे सदस्य को बोलने की इजाजत देते हैं । जब तक पहले सदस्य का बोलना बन्द न हो जाये या उसकी पूरी नहीं सुन ली गई हो, उसके पहले दूसरे को ग्राप बुला लेते हैं ग्रौर दो ग्रादमियों को एक समय में बुलवाते हैं । इस तरह से ग्राप सदन को कण्ट्रोल नहीं करते हैं, बल्कि यह इस सदन के हकों पर डाका है क्योंकि सदस्यों की पूरी बात सुनी नहीं जाती । मैं ग्राप की व्यवस्था चाहता हूं कि क्या यह जायज है कि एक मेम्बर बोलता रहे ग्रौर दूसरे मेम्बर को ग्राप बुला लें तथा दोनों साथ बोलते रहें ।

ग्रध्यक्ष महोदय : बिल्कुल जायज नहीं है ग्रौर यह बड़ा पाप है । जो ऐसा करते हैं ग्रौर मेरे मना करने के बावजूद बोलते रहते हैं, वह पाप करते हैं । . . . (**व्यवधान**)

श्री बागड़ी : इस तरह से सदन चलेगा नहीं ।

ग्रध्यक्ष महोदय : जो इस तरह से बोलता है वह खुद मर्यादा को भंग करता है । जब यहां पर मैं मना करता हूं तो लोग मेरा कहना नहीं मानते । बोलते चले जाते हैं फिर मुझ से कहते हैं कि ग्राप कण्ट्रोल नहीं कर सकते हैं ।

श्री बागड़ी : ग्रगर ग्राप कण्ट्रोल नहीं कर सकते हैं तो ग्राप सदन को रोक दीजिये । ऐडजर्न कर दीजिये । लेकिन ग्राप को यह ग्रधिकार नहीं है कि इस तरह से काम चलायें ।

Shri Hari Vishnu Kamath: (Hoshangabad): Sir, I rise on a point of order. Yesterday, in your wisdom, which we seldom question in this House, you ruled, and rightly so, that the resignation of a member should be in conformity with the Rules of Procedure. Rule 240....

Mr. Speaker: If he wants to make a submission, or whatever it is, to the House, unless I give that consent, can he make it in spite of me?

Shri Hari Vishnu Kamath: A member can resign.

Mr. Speaker: He is entitled to resign but not to make a statement in the House.

Shri Hari Vishnu Kamath: Sir, I am reading the rule in conjunction with what you stated yesterday. That is what I propose to do. The rule says, that a member resigning should submit his resignation in the appended form:—

"I hereby tender my resignation of my seat in the House with effect from....".

This is what exactly he has done. He has perhaps sent it to you in advance.

An Hon. Member: No.

Shri Hari Vishnu Kamath: He has not sent it yet; then, it is good.

Shri Nambiar (Tiruchirapalli): Because then, like yesterday, the estoppel would come.

Shri Hari Vishnu Kamath: His letter says:—

"I hereby tender my resignation of my seat in the House with effect from 16.00 hours today.",

that is to say, at 4 o'clock his membership will cease if that takes effect.

If I understood you aright yesterday—I have rarely misunderstood you in this House—when my colleague, Shri Nath Pai, raised this issue yesterday and this rule, was read along with rule 357, as far as I could remember, you did not demur completely; you had your own reservations on that point, but the impression that the House got was that you were more than half willing or disposed to accept the position adumbrated by my hon. colleague, Shri Nath Pai.

You rightly ruled that once a Member resigns, nothing more can be done. He ceases to be a Member and he has no *locus standi*, as a Member, to take further part in the proceedings of the House. But my hon. friend, Shri Laxmi Dass, has not resigned yet, even if you take what you said yesterday literally. "I am resigning" means, "I am about to resign." My knowledge of this foreign English language is very meagre but even from what little I know, "I am resigning" means, "I am going to resign". It has not yet taken effect. According to his own letter—this letter says it in so many clear words, definitely, unequivocally, unambiguously, categorically—his resignation will take effect from 4 o'clock today.

Shri C. K. Bhattacharyya (Raiganj): But before 16:00 hours he may withdraw it.... (*Interruption*).

Some Hon. Members: No, no.

Shri Hari Vishnu Kamath: Now, may I crave your indulgence and of the House a little more? Rule 357 does not rule out personal explanation on any issue whatsoever. It does not say that on any particular issue he must make a personal explanation. What does it say? It says:—

"A member.... (*Interruption*).

An. Hon. Member: On a point of order, Sir.

Mr. Speaker: One is being raised. Unless I hear that, how can I consent to hear another?

Shri Hari Vishnu Kamath: They do not understand. That is our misfortune.

A Minister, as my hon. friend said yesterday, who represents nobody except himself.... (*Interruption*).

Shri C. K. Bhattacharyya: Every day the same thing is being repeated

Shri Hari Vishnu Kamath: Does not matter.... (*Interruption*).

Not being a Member of the House, a minister can make a statement, but a person, who represents a million—a man in a million, so to say—cannot make a statement!

That apart, what does the rule say? It says:—

"A member may, with the permission of the Speaker,"—

I hope, in your magnanimity you will give and will continue to give your permission on such occasions—

"make a personal explanation although there is no question before the House".

Even though there is no question before the House—and what he wanted to say was no question before the House—he is eligible, not entitled because your permission is necessary for doing that, to make any statement on this issue provided that he does not raise any controversial matter.

What he is going to say may be very brief—we do not know yet. And, if he raises any debatable or controversial matter, you can pull him up straightaway. We will have no objection.

Shri Nath Pai (Rajapur): We will support it.

Shri Hari Vishnu Kamath: You may stop it straightaway. But I submit in all humility and with all earnestness that he is eligible to make a statement why he is resigning, why today at 4 o'clock, the deadline or the D-hour, he proposes to part company with us. We will be sorry to leave him and part company with him, but we leave it to him, to his own judgement. As long as he does not raise any debatable matter, any controversial matter, I do hope, in your magnanimity, in your discretion, you will, with the liberal interpretation of the ru'es, permit him to make a brief statement as was understood yesterday after the remarks that you made and the observations that the Leader of the House also made. I would request you to permit him to make a brief statement.

Mr. Speaker: All these facts and points were made out even yesterday. It is only a repetition that is being made.

Shri Hari Vishnu Kamath: This is before he has resigned.

Mr. Speaker: After hearing all that, I made my submission to the House that so long as these rules were there, I could not allow those reasons in the resignations to be brought on record which the Member, when he tenders his resignation, was precluded from doing so. That was my submission that I made yesterday.

Shri Hari Vishnu Kamath: That was after he resigned, not before.

Mr. Speaker: Now, he resigns from 16:00 hrs. So, upto 16·00 hrs. he remains a Member. But he does not get any extra rights because he is going to resign at 16·00 hrs. Therefore, he has not got any additional rights now beyond what an ordinary Member enjoys. I am rather surprised. He has the rights of an ordinary Member and unless I allow him....

Shri Priya Gupta (Katihar): On a point of order, Sir.

Mr. Speaker: On my standing? Let me finish that.

He is a Member. I have not yet received any resignation letter from him. This might be his intention. He has all the rights of a Member and nothing beyond that. Therefore, unless I allow him, he cannot make a statement.

Shri Nath Pai: There is a vital difference between the two.

Shri Hari Vishnu Kamath: This is before he has resigned.

Mr. Speaker: I cannot interpret the rules in that manner.

श्री मधु लिमये (मुंगेर) : एक सदस्य के नाते उनको ब्यान देने की इजाजत दी जाये आप इजाजत दे सकते हैं। यह आप के अधिकार में है।

अध्यक्ष महोदय : रूल्ज के मुताबिक ही मैं दे सकता हूं।

डा० राम मनोहर लोहिया (फर्रुखाबाद): में नियम पढ़ कर सुनाता हूं।

अध्यक्ष महोदय : एक घंटा कल इस पर बहस हो चुकी है।

डा० राम मनोहर लोहिया : 377 और 389 में पढ़ कर आप को सुनाता हूं।

अध्यक्ष महोदय : ये सब कल पढ़े गए हैं।

श्री मधु लिमये : 357 का जिक्र हुआ है, 377 का नहीं।

श्री लक्ष्मी दास (मरयालगुडा) : मैं आप के सरासर नाइंसाफी वाले और जम्हूरियत के खिलाफ निर्णय की वजह से अपना इस्तीफा आपके सामने पेश कर रहा हूं।

12.37 hrs.

COMMITTEE ON PETITIONS

Shrimati Jyotsna Chanda (Cachar): I lay on the Table the Minutes of the Twenty-fifth and Twenty-sixth sittings of the Committee on Petitions held during the current Session.

12.37½ hrs.

OPINION ON CONSTITUTION (AMENDMENT) BILL

Dr. L. M. Singhvi (Jodhpur): I lay on the Table Paper No. 1 to the Bill further to amend the Constitution of India which was circulated for the purpose of eliciting opinion thereon by the direction of the House on the 12th August, 1966.

12.37½ hrs.

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

'In accordance with the provisions of rule 115 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 30th November, 1966, agreed to the following amendments made by the Lok Sabha at its sitting held on the 16th November, 1966, in the Banaras Hindu University (Amendment) Bill, 1966:—

Enacting Formula

1. That at page 1, line 1,—

for "Sixteenth" *substitute* "Seventeenth".

Clause 1

2. That at page 1, line 4,—

for "1965" *substitute* "1966".

Clause 2

3. Clause 2 *not* adopted.

Clause 3

4. That at page 2, line 13,—

for "principal Act" *substitute*—

"Banaras Hindu University Act, 1915 (hereinafter referred to as the principal Act),".

5. That at page 3,—

for lines 1 to 6, *substitute*—

'(j) "University" means the Banaras Hindu University.'

Clause 4

6. That at page 3, lines 13 and 14,—

for "Madan Mohan Malaviya Kashi Vishwavidyalaya" *substitute* "Banaras Hindu University".

Clause 5

7. Clause 5 *not* adopted.

Clause 16

8. That at page 11, line 33,—

for '1965" *substitute* "1966...

Clause 17

9. That at page 12, line 13,—

for "1965" *substitute* "1966".

Clause 20

10. That at page 14, line 24,—

for "1965" *substitute* "1966".

Clause 25

11. That at page 18, lines 18 and 19,—

omit "the Vice-Chancellor,".

The Schedule

12. That at page 19, line 9,—

for "Kashi Vishwavidyalaya" *substitute*—

"Banaras Hindu University".

13. That at page 25,—

after line 38, *add*—

"From the Faculty of Law 1".

14. That at page 32, line 33,—

for "Madan Mohan Malaviya Kashi Vishwavidyalaya" *substitute*—

"Banaras Hindu University".

15. That at page 37, line 5,—

for "1965" *substitute* "1966".

16. That at page 44, line 14,—

for "1965" *substitute* "1966".

17. That at page 44, line 27,—

for "1965" *substitute* "1966".

18. That at page 45, lines 5 and 6,—

for "Banaras Hindu University or the Madan Mohan Malaviya Kashi Vishwavidyalaya". *substitute* "University".

19. That at page 48, line 24,—

for "Madan Mohan Malaviya Kashi Vishwavidyalaya" *substitute* "Banaras Hindu University".

20. That at page 49, lines 7 and 8,—

for "Madan Mohan Malaviya Kashi Vishwavidyalaya" *substitute* "Banaras Hindu University".

21. That at page 50, line 26,—

for "1965" *substitute* "1966".

22. That at page 53, lines 3 and 4,—

for "Madan Mohan Malaviya Kashi Vishwavidyalaya" *substitute* "Banaras Hindu University".

23. That at page 53,—

after line 21, insert—

"16. Department of Sociology

17. Department of Library Science".

24. That at page 54,—

for line 31, *substitute*—

"1. Department of Vocal Music.

2. Department of Instrumental Music.

3. Department of Musiocology.

4. Department of Painting.

5 Department of Plastic Arts.

6. Department of Applied Arts".

12.39 hrs.

COMMITTEE ON PRIVELEGES

FOURTEENTH REPORT

Shri S. V. Krishnamoorthy Rao (Shimonga): I present the Fourteenth Report of the Committee of Privileges.

12.39½ hrs.

ESTIMATES COMMITTEE

ONE HUNDRED AND ELEVENTH AND ONE HUNDRED AND TWELFTH REPORTS

Shi Kedaria (Mandvi): Present the following Reports:—

(1) One hundred and eleventh Report of the Estimates Committee on action taken by Government on the recommendations contained in the Seventy-ninth Report of the Estimates Committee on the

[Shri Kedaria]

Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture)—Central Potato Research Institute.

(2) One hundred and twelfth Report of the Estimates Committee on action taken by Government on the recommendations contained in the One hundred and forty-eighth Report of the Estimates Committee (Second Lok Sabha) on the erstwhile Ministry of Commerce and Industry—Rubber Board.

12.40 hrs.

PUBLIC ACCOUNTS COMMITTEE

(i) SIXTY-FIFTH REPORT

Shri Morarka (Jhujhunu): I present the Sixty-fifth Report of the Public Accounts Committee on para 76 of Audit Report (Civil), 1966, relating to the Ministry of Works, Housing and Urban Development regarding undue benefit to a firm of hoteliers.

(ii) SIXTY-SIXTH REPORT

Shri Morarka: I also present the Sixty-sixth Report of the Public Accounts Committee on Appropriation Accounts (Posts and Telegraphs), 1964-65, Audit Report (Posts and Telegraphs), 1966 and Audit Report (Commercial), 1966.

12.40½ hrs.

COMMITTEE ON PETITIONS

FIFTH REPORT

Shrimati Jyotsna Chanda (Cachar): I present the Fifth Report of the Committee on Petitions.

Shri S. M. Banerjee (Kanpur): Yesterday a petition was presented and at that time I wanted to say something, but was not allowed. Now the report has been presented and I want to remind you that our request was this. A petition was presented on behalf of 10 lakhs of LIC employees and other citizens of this country regarding automation in the LIC and we requested you and the members of the Committee that automation should be stopped. The Committee has presented its report and I would like to know from the hon. Member who read out that just now whether they have already recommended that automation should be stopped in the LIC.

Mr. Speaker: The report has to be made. After that, it will be known. The report has not yet been made.

Mr. Speaker: Mr. Dixit.

Shri G. N. Dixit (Etawah): I want to draw your kind attention to a notice of privilege motion against. . .

Mr. Speaker: No, no. He has been called to present the report.

12.41 hrs.

JOINT COMMITTEE ON OFFICES OF PROFIT

FIFTH REPORT

Shri G. N. Dixit (Etawah): I present the Fifth Report of the Joint Committee on Offices of Profit.

I could not catch your eye. . . .

Mr. Speaker: No, no.

Mr. Sivamurthi Swami.

12.41¼ hrs.

PETITION RE. MERGER OF CERTAIN AREAS WITH MYSORE STATE

Shri Sivamurthi Swamy (Koppal): I present a petition from Shri Rama Rao and others regarding merger of Talavadi Firka, Gobichettipalayam Taluk, Coimbatore District, with Mysore State.

Shri Basappa (Tiptur): A similar petition has been presented to the Prime Minister. That may also referred to the One Man Commssion.

12.42 hrs.

POINT OF PERSONAL EXPLANATION

Mr. Speaker: Mr. S. K. Patil.

श्री किशन पटनायक (सम्बलपुर) : आप ने जो श्री एस० के० पाटिल को बुलाया है, उसके बारे में मेरा पायंट आफ़ आर्डर है। पर्सनल एक्सप्लेनेशन के बारे में रूल 357 कहता है :

> "A member may, with the permission of the Speaker, make a personal explanation although there is no question before the House, but in this case no debatable matter may be brought forward, and no debate shall arise."

मेरी अर्ज यह है कि मन्त्री महोदय के स्टेटमेंट में कोई डीबेटेबल मैटर नहीं होना चाहिए। अगर होगा, तो हम को भी अधिकार होगा कि हम उसका जवाब दें।

अध्यक्ष महोदय : मुझे वह स्टेटमेंट सुनने दीजिए।

श्री बागड़ी (हिसार) : आप उन को सुन लीजिए, लेकिन बाद में हमारी बात भी सुन लीजिए।

The Minister of Railways (Shri S. K. Patil): I find in a section of the Press today an observation attributed to an hon. Member of this House, Dr. Lohia, alleging that I was implicated in cheating of several lakhs of rupees by a shipping company. According to the same Press report, this alleged cheating took place in 1961-

If I were present in the House I could have contradicted this statement on the spot but unfortunately I was not there. I am told that the Deputy Minister for Home Affairs who was in the House raised a point of order that such an accusation could not be made against the Minister in his absence and without first informing him and the Speaker about it. I am told the Chairman who was presiding did not accept the point of order. In any event, I want to make it abundantly clear that the accusation made by Dr. Lohia is absolutely false and baseless. I had nothing to do with the alleged incident mentioned by him.

Shri Sham Lal Saraf (Jammu and Kashmir): The hon. Minister is not correctly reported. I wish he had gone through the proceedings of yesterday before making his statement.

Shri S. M. Banerjee (Kanpur): May I make a submission about what the chairman had said?

Mr. Speaker: There is no need for it now. He has already explained it.

डा० राम मनोहर लोहिया (फ़र्रुखाबाद) : अध्यक्ष महोदय मंत्री महोदय ने नियम के खिलाफ़ जा कर सिर्फ़ विवादास्पद बात ही नहीं उठाई है, बल्कि उन्होंने यह भी कह दिया कि जो कुछ मैंने कहा था वह झूठ था। तो मैं यहां पर आप की सेवा में निवेदन करना चाहता हूं कि मंत्री जी साफ झूठ बोले हैं, क्योंकि कल मैंने अपने भाषण में न सिर्फ़ यह कहा था कि क्या चीजें चोरी हुई हैं, बल्कि साल, दिन और जहाज के नाम भी दिये थे।

श्री बागड़ी : चोरी और सीनाजोरी।

अध्यक्ष महोदय : मैं हाउस की रजामन्दी चाहूंगा कि मैं मेम्बर साहब को फाल अपान करूं कि उन के पास इस बारे में जो सबूत हैं, वह मुझे दें।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मैं उस को कल यहां इस सदन में रख चुका हूं। अब दोबारा आप को देने की क्या जरूरत है। मैं आप को खाली एक जहाज का नाम बताये देता हूं। "आकाश" नाम का एक जहाज 7-6-62 को.

अध्यक्ष महोदय : मैं जहाज के नाम नहीं सुनाना चाहता हूं। मैं ने कहा है कि आप के पास जो सबूत हैं, वह मुझे दीजिये।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, आप क्या कह रहे हैं? आप जो कुछ भी कहें, तसल्ली के साथ कहें।

अध्यक्ष महोदय : जो कानून और रूल के मुताबिक है, वही मैं कह रहा हूं। कल आप ने इल्ज़ाम लगाया। मिनिस्टर साहब ने कहा है कि वह ग़लत और झूठ है। आप कहते हैं कि आप ने इस बारे में तफ़सील दी है। आप के पास जो सबूत है, वह मेरे पास भेजिए। अगर इस के लिए कोई कमेटी मुकर्रर करनी होगी, तो मैं उस को मुकर्रर करूंगा।

श्री राम सेवक यादव (बाराबंकी) : अध्यक्ष महोदय, आप ने मंत्री महोदय को बोलने का मौका दे कर पक्षपातपूर्ण कार्य किया है और वह नियमों के विपरीत है।

अध्यक्ष महोदय : माननीय सदस्य सबूत भेज दें। अगर इस बारे में कमेटी मुकर्रर करनी होगी, तो मैं इस को मुकर्रर करूंगा।

Shri S. M. Banerjee: Let there be an investigation by the CBI.

Shrimati Renu Chakravartty (Barrackpore): This is a very extraordinary situation there you have permitted Shri S. K. Patil to contradict something that has been stated by Dr. Ram Manohar Lohia without his having placed before you all the documents to prove that what he has said is true. Without such documents you never allow us to contradict. If we want to make a personal explanation or if we want to contradict something that has been stated on that side of the House, you ask us to produce the documents. But now you have allowed him to do so . . .

Mr. Speaker: That is wrong. Always, when something has been said against a Member, he has been given an apportunity to give a personal explanation. That has always been done.

श्री मधु लिमये (मुंगेर) मुझे आप ने कहां मौका दिया है ? मुझे मौका नहीं दिया है।

श्री राधेलाल व्यास (उज्जैन) : दिया है।

श्री मधु लिमये : मनुभाई शाह और शचिन्द्र चौधरी के मामले में मुझे आज तक व्यक्तिगत स्पष्टीकरण की इजाज़त नहीं मिली है। क्या पाटिल साहब "सुपर-मेम्बर" हो गये हैं ? इस बारे में मेरा पायंट आफ़ आर्डर है।

Shri H. N. Mukerjee (Calcutta Central): On a point of propriety. You may hear these accusations, but it is no pleasure for us to listen to these accusations whether they are against Members on that side of the House or on this side of the House. What happens when it is contradicted only in the House? The statements are left hanging in mid-air, so to speak, and I cannot choose between the two statements. I have noticed repeatedly Ministers contradicting such allegations but never challenging the Member to repeat it outside so that he could . .

Shri S. K. Patil: I challenge Dr. Ram Manohar Lohia to repeat it outside. (*Interruptions*).

श्री मधु लिमये : यह एक नम्बर का डरपोक आदमी है। यह क्या बाहर लड़ेगा ?

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, आज ही सदन के बाहर एक सभा हो जाए, जिस में मैं अपनी बात कहूंगा।

श्री राधेलाल व्यास : यह बाजार नहीं है, यह लोक सभा है।

Shri H. N. Mukerjee: . .These Ministers have got to have the guts. The Minister of Defence some time back was told that he had taken Rs. 6 lakhs. and he came here and said that he did not take Rs. 6 lakhs. He should have taken other steps open to a Member of Parliament in order to have that kind of purge. But they do not do it. I want to know. (*Interruptions*). Let me say this. I want to defend the honour of every Member of this House. (*Interruptions*). I would not like to be a Member of a House where with regard to a fellow-Member I have to carry a suspicion larking, an uncleared suspicion. I want every Member of this House,

whether on this side or on the other, to be cleared of these allegations, if made against him. But every time these allegations are made, only a parliamentary statement, covered by privileges, is made on either side. I cannot make up my mind. I refuse to be a member of a House in which such allegations are made against Members who do not have the courage to repudiate, and have not repudiated these things in the proper way. Till that is done, I feel it is a shame to be a Member of the House. It is the duty of every Member of the House against whom such allegations are made to clear them so that we do not have to face this sort of predicament way now and then here.

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, आप मुझ को बोलने नहीं दे रहे हैं यह क्या मामला है ? अभी यह चुनौती दी बाहर कहने के लिये । मैं आज शाम को जहां कहीं आप या पाटिल साहब कहें दिल्ली की किसी आम सभा में इस से बढ़कर के इन के खिलाफ़ चोरी की बात कहने के लिए तैय्यार हूं एक बात, । और दूसरी बात आप मेहरबानी करके सुनिये, मैंने कल नाम यहां पर लिए थे . . . . . (**व्यवधान**) अध्यक्ष महोदय, मैंने कल कई जहाज के नाम लिए थे . . . . (**व्यवधान**) 156 टन की चोरी हुई है . . . . (**व्यवधान**)

अध्यक्ष महोदय : अगर मैं उन को भी इजाजत देता कि वह एक एक नाम लेकर कहें तो फ़िर आप कहते कि कंट्रोवर्शियल मैटर्स ला रहे हैं———(**व्यवधान**)

Shri S. K. Patil: I have every right to say what I have said . . (*Interruptions*).

डा० राम मनोहर लोहिया : यह मुझ को झूठ कहता है । सारी जिन्दगी ऐश आराम में बिताता रहा है और मुझको झूठ कहता है . . . . . (**व्यवधान**)

अध्यक्ष महोदय अगर एक मेम्बर दूसरे के बरखिलाफ़ . . . . (**व्यवधान**)

डा० राम मनोहर लोहिया : इस को शर्म नहीं लगा कहते हुए ** . . . . (व्यवधान) . . . . . .**

Mr. Speaker: This will not be recorded. I have also to see what other portions I have to expunge.

Shri R. S. Pandey (Guna): On a point of order.

Shri Surendranath Dwivedy (Kendrapara): I think it is a good thing that Shri Patil has said that all the allegations are false.

Shri S. K. Patil: Not all—whatever has appeared in the press.

Shri Surendranath Dwivedy: Dr. Lohia still maintains that he has in his possession facts to prove that what he has said is right and correct. Therefore, as you have already said that the documents would be given to you, I think at the fag-end of this session it is proper that you appoint a Committee. Let them go into all these matters and let us know what has happened.

Shri R. S. Pandey: On a point of order.

श्री मधु लिमये : प्वाइंट आफ़ आर्डर पर एक अरसे से उठा रहा हूं । यह बीच में कहां से आ गए ?

Shri S. K. Patil: Suggestions have been made that if the accusation was repeated outside, I should go to a court of law and have the remedy. I wrote to you this morning that if this was not said in this House but elsewhere, I would have gone straight to the court for remedy. Because it was said in the House, I had no other remedy but to come to this House, this august House. So I wrote to you in advance and informed you about my stand regarding whatever has appeared in the Press. I am only saying that whatever has appeared in the press is false, baseless, unfounded, malicious and every other word that can be said about it in that vain.

श्री बागड़ी : अध्यक्ष महोदय . . . . .

अध्यक्ष महोदय : अब आप बैठ जाइए । (**व्यवधान**) बागड़ी साहब, मैं और आप

**Not recorded.

[अध्यक्ष महोदय]

दोनों इकट्ठे कैसे होंगे ? .... (व्यवधान) इस के सिवाये प्रोसीजर तो यही हो सकता सकता है कि अगर एक मेम्बर एक्यूज करता है दूसरे मेम्बर को तो उसको परसनल एक्सप्लेशन की इजाजत होनी चाहिये....

श्री मधु लिमये : क्या सफ़ाई दी उन्हों ने? कोई सफ़ाई नहीं है उन की। (व्यवधान)

अध्यक्ष महोदय : जो मेम्बर ऐक्यूजेशन लगाता है तो या तो वह बाहर लगाये तो दूसरे मेम्बर के लिए यह रेमेडी है कि वह कोर्ट में जा सकता है. ......

डा० राम मनोहर लोहिया : मैं बाहर भी लगा चुका हूं.... (व्यवधान)

श्री मौर्य : चौपाटी पर मैंने कहा है कि यह चोर हैं..... (व्यवधान)

डा० राम मनोहर लोहिया : कई बार मैं ने कहा है। आज शाम को भी बाहर कहने को तैयार हूं। मैं ने कई बार बाहर कहा है.. (व्यवधान)

Shri Surendranath Dwivedy: That is a different matter, whether they make the accusation outside. It has been made here and to go into that I want a Committee to be appointed.

Mr. Speaker: I am coming to that.

Shri R. S. Pandey: On a point of order.

श्री मधु लिमये अध्यक्ष महोदय, प्वाइंट आफ़ आर्डर मेरा है।

अध्यक्ष महोदय : मुझे कह तो लेने दीजिए। बड़ी अजीब बात है. ... (व्यवधान) ठहरिये, मैं उन को भी कह रहा हू। मैं सुन लूंगा। पहले जो मैं कह रहा हूं वह तो सुनिए, इस में सिर्फ़ यही हो सकता है न, जो बाहर लगायें उससे तो मेरा संबंध नहीं है। अपने आप मेम्बर ऐक्शन लेगा। अन्दर जो लगाया गया तो उन्होंने मुझे लिखा परसनल ऐक्सप्लेशन देने के लिए लिखा, मैं ने परसनल एक्सप्लेनेशन देने की इजाजत दी। उन्होंने कहा कि वह फाल्स है। अब उन्होंने कहा लोहिया साहब ने कि मेरे पास इस का सुबूत है.........

डा० राम मनोहर लोहिया सबूत मैं दे चुका हूं।

अध्यक्ष महोदय : अच्छा अगर जो दे चुके हैं तो और भी आप के पास हो तो वह भी आप भेज दें...... (व्यवधान)

श्री मधु लिमये : परसनल एक्सप्लेनेशन देने के लिए इजाजत देने से पहले आपने पढ़ा था उसको ? मंत्री महोदय ने आप को लिखा तो आप ने इजाजत दे दी और मेरा आपके पास पड़ा हुआ है, मेरे दो मामले व्यक्तिगत स्पष्टीकरण के आप के पास पड़े हुए हैं, उस के लिए आप ने इजाजत नहीं दी। आप के ऊपर इतना इनका रोब क्यों चलता है ? क्या बात है इसके पीछे ? यह हमेशा रोब जमाने की कोशिश करते हैं।

Shri M. L. Dwivedi (Hamirpur): He is insulting the Chair.

Shri Sheo Narain (Bausi): He cannot say so in this House.

Shri P. Venkatasubbaiah (Andoni): Please have that remark expunged.

अध्यक्ष महोदय : अब इस वक्त.... (व्यवधान).... अब मुझे अगर नहीं बोलने देंगे तो मुझे जरूर कुछ न कुछ करना पड़ेगा (व्यवधान)

श्री राम सेवक यादव : आरोप के खिलाफ़ कोई तथ्य नहीं दिये केवल यह कह देना कि यह असत्य है, इसके कोई मानी नहीं हैं।

Shri Priya Gupta: A Committee may be appointed to go into this.

अध्यक्ष महोदय : अब मुझे बोलने नहीं दे तो........ (व्यवधान)

Shri Surendranath Dwivedy: I hope Leader of the House will agree. Let us have a Committee.

Mr. Speaker: Before I appointed a Committee, I have to say this.

श्री मधु लिमये : परसनल एक्सप्लेनेशन की इजाजत क्यों दी।

अध्यक्ष महोदय : देनी चाहिये थी इसलिये मैं ने दी ।

श्री किशन पटनायक (सम्बलपुर) : इन को क्यों नहीं दी आज तक ?

अध्यक्ष महोदय : और मैं इससे अधिक बहस नहीं कर सकता । जो मैंने किया है परसनल एक्सप्लेनेशन मुनासिब था, इसलिये मैंने उसके लिये इजाजत दी ।

श्री बागड़ी : आपने मेरे दल के सदस्य मधु लिमये के खिलाफ मंत्री ने चार्ज लगाया उसके लिए इजाजत नहीं दी......... (व्यवधान)

डा० राम मनोहर लोहिया : आप कमेटी बनाने के बारे में क्या कह रहे हैं ?

अध्यक्ष महोदय : जब आपने यह सब कहा तो मैं नहीं मौजूद था जब यह आरोप लगाए गए । आपने कहा कि मैंने दे दिया है सबूत तो अगर आपको और भी देना है तो वह मुझे दे दें फिर उन को देखकर मैं कमेटी को मकर्रर करना है तो करूंगा ।

डा० राम मनोहर लोहिया : इस तरह तो, अध्यक्ष महोदय, यह मामला खत्म हो जायगा, सिर्फ दो दिन रह गये हैं । आपके सामने सारे कागज सितम्बर में पहुंचे थे, आपके लोक सभा सचिवालय की तरफ़ से कागज आये, मन्त्रियों ने उनके जवाब दिये हैं । खुद सारे कागज़ों से साबित हो जाता है कि इस जहाज रानी कम्पनी ने लाखों का घुटाला किया है और इसमें पाटिल और स्वर्ण सिंह भी थे, यह आपके कागजों से साबित होता है ।

अध्यक्ष महोदय : डाक्टर साहब, अगर आप कहते हैं कि साबित हो जाता है, तो उसी पर किसी को फांसी पर नहीं लटकाया जा सकता है, किसी और को भी देखना होगा कि जो आपका कहना है..

डा० राम मनोहर लोहिया : आप सुबह तक फैसला कर दीजिये, आज शाम तक फैसला कर दीजिये, सिर्फ दो दिन रह गये हैं ।

अध्यक्ष महोदय : मुझे इसमें कोई एतराज नहीं है । जो सबूत आपने और देने हों, उसको दे दें, मैं देख लेता हूं ।

श्री राम सेवक यादव : अध्यक्ष महोदय, आरोप लगाया गया था, यह तथ्य का सवाल था, आप पहले कल की बहस को पढ़ने तब पाटिल साहब को इजाजत देते । सिर्फ यह कह देना कि यह असत्य है, काफ़ी नहीं है ।

अध्यक्ष महोदय : आप मेरी तरफ़ नहीं देखते हैं, ऊपर को देखते हैं, मैं जवाब किसको दूं ।

श्री राम सेवक यादव : बहुत दिन देखा है, आपकी तरफ़ । (व्यवधान) आपकी तरफ़ देखा है, उसकी फोटो-स्टेट कापी है मेरे पास, यह आपके बारे में है.. (व्यवधान)

अध्यक्ष महोदय : फोटो-स्टेट कापी से मैं डर नहीं गया हूं । (व्यवधान)

Shri S. M. Banerjee: Yesterday when the discussion was going on in this House certain charges were made by Dr. Lohia, and we also demanded that the entire matter should be referred to a committee of the CBI, because he did not mention only one Minister, he mentioned the Trimurti, i.e., Patil, Swaran Singh and Subramaniam. This personal explanation has been given under the rules, and it can be given by a member or by a Minister, and you are within your rights to permit the Minister, but on the basis of what? Something which he has read in the press. He has not the courage or the conviction to mention yesterday's debate in the House.

Shri S. K. Patil: Why should I mention?? I only mentioned what I read. (*Interruptions*).

Shri Shiv Narain: You think you are the master of the House.

श्री स० मो० बनर्जी : अरे भाई, तुम्हें पाटिल साहब टिकट दे देंगे । ...

His personal explanation should be based on the statement made here. Otherwise, if a personal explanation is allowed to be made in the House on

[श्री स॰ मो॰ बनर्जी]

the various news items coming out in the country, then we should also be given the chance. Mr. Patil made wild allegations against the opposition everywhere regarding train accidents and so on. We never wanted to make personal explanations.

Shri S. K. Patil: That is outside the House. I will make them again a hundred times.

Shri S. M. Banerjee: You have yourself said that you will expunge certain portions in your Chamber.

Mr. Speaker: I have said I will see if they are objectionable. (*Interruptions*).

Shri S. M. Banerjee: I am not agitated like Mr. Patil.

Rule 380 says:

> "If the Speaker is of opinion that words have been used in debate which are defamatory or indecent or unparliamentary or undignified, he may, in his discretion, order that such words be expunged from the proceedings of the House."

A portion of the proceedings was so expunged.

Shri Sheo Narain: The speaker is wiser than Mr. Banerjee.

Shri S. M. Banerjee: My point of order is this, that certain charges and counter-charges have been made here. So, your observation that you will expunge certain things in your Chamber has given the feeling that nothing will appear in the press. If something appears in the press tomorrow, Mr. Patil will move a privilege motion against the press.

Shri Sheo Narain: Why not?

Shri S. M. Banerjee: It is a question of a shipping company.

Mr. Speaker: Mr. Banerjee must realise that I have said that I will see if something more is required to be expunged, and if I have to expunge, I will bring it before the House, and not do it secretly. So, there is no point of order in that.

Shri S. M. Banerjee: You are holding the banner of democracy in this country. I am not against democracy, it is they.

Mr. Speaker: What else has he to say?

Shri S. M. Banerjee: We have a *chota* Hitler here in Mr. Patil.

Mr. Speaker: Order, order. That is not the point.

Shri S. M. Banerjee: In that case, what will happen is that nothing will come in the press. So, if this was his intention, he has succeeded.

Mr. Speaker: Whatever has to appear in the press will appear, because I have said that I will bring it before the House.

Shri Ranga (Chitoor): Tomorrow.

Mr. Speaker: Today.

Shri S. M. Banerjee: I have a photostat copy of a letter Mr. Jit Pal addressed to one D.B. Thapar that Rs. 50,000 has been given to Mr. Patil direct. I can lay it on the Table of the House.

Mr. Speaker: These photostat copies are being brought here, and another has been just flourished just at this moment. I will warn the hon. Members that unless they are sure of their authenticity . . .

Shri S. M. Banerjee: This was considered by the Privileges Committee.

Mr. Speaker: This House shall have to take note of that, and I think . . .

Shri S. M. Banerjee: Rs. 75,000 to Mr. Swaran Singh and Rs. 50,000 to Mr. Patil, and your name also unfortunately, appears there.

Mr. Speaker: I am not concerned with that. One man may have a photostat copy, he might write himself and have a photostat copy of that. Where is the guarantee of its authenticity? (*Interruptions.*) There cannot be any authenticity of a photostat copy. (*Interruptions*).

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha That document was produced before the Privileges Committee. It was not admitted, it was not admissible under the Evidence Act.

श्री राम सहाय पाण्डेय : अध्यक्ष महोदय, सदन प्रक्रिया धारा 358 के अन्तर्गत बहुत स्पष्ट उल्लेख है कि कोई भी माननीय सदस्य यदि किसी के प्रति आरोप, लांछन या अभियोग लगाता है, तो वह आपको पूर्व सूचना दे, ताकि जिस के सम्बन्ध में आरोप लगाये गये हैं, वह उसको इन्वेस्टीगेट कर के आपने एक्सप्लेनेशन को लेकर सदन के सम्मख उपथित हो।

फिर यह है कि यदि आप यह समझें कि यह सदन की मर्यादा या जनहित के विरुद्ध है तो आप उस कार्यवाही को रोक सकते हैं। आये दिन इस सदन में इस धारा का उल्लंघन हुआ है और कल भी जब प्वाइन्ट आफ आर्डर किया गया तब उसको चेयरमैन ने एन्टरटेन नहीं किया। उस वक्त भी यही बात थी कि जब कोई आरोप पूर्व सूचवा के पहले लगाया जाय, ताकि जिसके सम्बन्ध में वह लगाया गया है, वह स्वयं उपस्थित नहीं है, तो यह सामान्य सौजन्य, सामान्य मर्यादा और जो लिखित निदश हैं, उन के विरुद्ध है, उनका उल्लंघन होता है।

अब, श्रीमान्, मैं निवेदन करना चाहता हूं कि आये दिन होता क्या है ? एक विचित्र अवस्था इस सदन के माध्यम से इस देश में उपस्थित की जाती है, बण्डल के बण्डल आरोपों को खोला जाता है और कहा जाता है कि रुपया खा गये, उसके बाद जिसके सम्बन्ध में कहा जाता है, स्वाभाविक है कि वह यह कहे कि यह भ्रम है, अत्यन्त गलत है, नितान्त गलत है उसके बाद मुझे ताज्जुब हुआ कि माननीय द्विवेदी जी कहते हैं कि एक कमेटी एप्वाइन्ट की जाय। मैं उनके विरुद्ध कोई आरोप लगाऊं और कहूं.....

श्री सुरेन्द्र नाथ द्विवेदी कमेटी एप्वाइन्ट हो।

श्री रामसहाय पाण्डेय : यह आप कहते हैं, लेकिन हम मर्यादा का पालन करते हैं। हम आरोप नहीं लगाना चाहते हैं, लेकिन हम इस बात की मर्यादा चाहते हैं कि यदि आरोप लगाया जाय तो हम को अवसर दिया जाय कि हम कहें कि यह सही है या गलत है। श्री पाटिल ने कहा है कि जो आरोप लगाये गए हैं, वे गलत हैं, अब आप कहते हैं कि कमेटी बिठाई जाये। उलटा चोर कोतवाल को डांटे वाली स्थिति पैदा हो गयी है।.... (व्यवधान) मेरा एक निवेदन है कि कल एक प्वाइंट आफ आर्डर रेज किया गया था। मेरा प्वाइंट आफ आर्डर यह है कि यदि आप समझते हैं कि जितने आरोप हैं वे जनहित के विरुद्ध हैं, सदन की मर्यादा के विरुद्ध हैं तो उन को रिटास्पेक्टिव एफ्क्ट से कार्रवाई से एक्सपंज किया जाये।

श्री मौर्य : और जो मंत्री लोग शराब पीते हैं जहां पर प्रोहिबिशन है.....

अध्यक्ष महोदय : आर्डर, आर्डर।

श्री मधु लिमये : इस ए० पी० जे० शिपिंग कम्पनी के द्वारा जो चावल आयात किया गया था, उस के सम्बन्ध में दो तीन प्रश्न इस सत्र में पूछे गये थे।

अध्यक्ष महोदय : आप का प्वाइंट आफ आर्डर क्या है।

श्री मधु लिमये : प्वाइंट आफ आर्डर पर आ रहा हूं। उन को दस मिनिट हो गये बोलते हुए और मैं ने आधा वाक्य भी नहीं बोला कि आप मुझे टोकने लगे हैं।

अध्यक्ष महोदय : यहां पर चावल का क्या सवाल है।

श्री मधु लिमये : उसी पर कह रहा हूं। एक भी फ़ालतू वाक्य मैं नहीं बोल रहा हूं। आप सारी चीजें सामने नहीं आने दे रहे हैं। इन प्रश्नों के जवाबों को ले कर यह आधे घंटे की बहस उठाई गई थी। तमाम प्रश्नों के सम्बन्ध में जो दस्तावेज डाक्टर साहब ने सदन पटल पर पिछले सत्र में रक्खा .

[श्री मधु लिमये]

था उस के बारे में सवाल था कि क्या उस की जांच पड़ताल की है, कोई कारंवाई की गई है, और दूसरा प्रश्न था कि जितना माल आया, चावल आया, उस में कितनी खोट आई। इन चीज़ों को ले कर आधे घंटे की चर्चा उठाई गई थी। आधे घंटे की बहस के बारे में नियाम है कि :

"Provided that the notice shall be accompanied by an explantory note stating the reasons for raising discussion on the matter in question."

जिन प्रश्नों की सफ़ाई नहीं हुई थी उस के बारे में नोट दिया गया। उस का आप ने पढ़ा और अब आप को सन्तोष हुआ कि उस में कई मुद्दे ऐसे हैं जिन की उसफ़ाई नहीं हुई है इसलिये आप ने उन को मौका दिया कि आधे घंटे की बहस चलायें। तथ्यों के आधार पर एक निष्कर्ष निकाला गया। अब आप ने जब उनको व्यक्तिगत स्पष्टीकरण करने का मौका दिया तब आप को नियम 357 के अनुसार कारंवाई करनी चाहिये थी। यह नियम क्या है।

"A member may with the permission of the Speaker make a personal explanation although there is no question before the House but in this case no debatable matter may be brought forward and no debate shall arise."

तो कल जो तथ्य यहां पर रक्खे गये थे, जिन तथ्यों पर निष्कर्ष तथा अनुमान आधारित थे, उन तथ्यों के बारे में एक शब्द भी श्री पाटिल ने नहीं कहा है। उसे भी व्यक्तिगत स्पष्टीकरण में आना चाहिये था। उन्होंने कहा है कि डाक्टर साहब झूठ बोले हैं। पहले तो मैं यह कहूंगा कि फ़ल्स या झूठ यह शब्द कई दफ़े आप ने असन्सदीय करार दिया है। इस लिये उस को पाटिल साहब के बयान से आप निकाल दें।

21 नवम्बर को जब मेरे प्रश्न का जवाब श्री मनुभाई शाह और श्री शचीन्द्र चौधरी की ओर से श्री ललित नारायण मिश्र ने दिया था तब श्री राम सहाय पान्डेय ने आज जो सवाल उठाया वही उस वक्त भी उठाया था। आप ने उस वक्त कहा था कि कमेटियों की नियुक्ति इन आरोपों की जांच पड़ताल करने के लिये की जायेगी। मैं देख लूगा। मैंने दो तीन मर्तबे आप को लिखा। मैंने उन की चुनौती भी स्वीकार की है। श्री मनुभाई शाह और शचीन्द्र चौधरी का मामला कमेटियों के सामने जाये। आज फिर मैं मांग करूंगा कि श्री पाटिल का मामला भी कमेटी के सामने जाये। तीनों कमेटियां बैठ और मैं तैयार हूं उन की चुनौती स्वीकार करने के लिये। अब वह भाग न जायं चूहे की तरह से। इतना ही मुझे निवेदन करना है।

Shri G. N. Dixit (Etawah): Sir, I would draw your kind attention to rule No. 352: a member while speaking shall not make a personal charge against a member. A minister is also a member, although he has become a minister. 353 has already been read out; defamatory statement is not permissible in the House. I would draw your attention to the rule which was just now read out. In case a defamatory statement has been made, then you have got the power to expunge the defamatory statements that had been made. The rules are mandatory and one has to read all these three rules together. Then, one cannot but come to the conclusion that in this House no charges of a personal nature shall be made by one member against another member. If a member wants to make a statement outside the House, it is not within the jurisdiction of the House. So far as this House is concerned, it has been laid down by the rules that personal charges of a defamatory nature are not permissible. My submission is this. If any action has to be taken against any member, it is to be taken under these rules. There are only two provisions under which a member can agitate against another member. One is about the

minister. In a vote of no-confidence against a minister this point may be raised. A charge can be raised against a member by raising the issue of privilege. Apart from these two, there is no provision in these rules about the appointment of a committee. Because a personal charge of a defamatory character has been made, they say a committee may be instituted. There is no such power given, with due respect, to you or to this House to institute such a committee.

So far as the photostat copies are concerned, I may say this. I have my clients and some of them are forgerers also. If you so desire, charges and allegations can be made against every Member who is sitting there and they can give you photostat copies. Those charges may be correct or may be incorrect or false; but the point is that photostat copies can be put before the House against every hon. Member on that side. So far as these rules go, they do not permit all this dirty linen to be washed here; that is to be washed outside the House. When they go into the election battle, they can wash this dirty linen but not waste the valuable time of this House in this way.... (*Interruptions.*)

Shri Umanath (Pudukkottai): He says that some of them are forgerers and pointed towards this side.

Mr. Speaker: He has not said that the Members from the Opposition or every Member on this side is a forgerer. Even if he has said, talking generally, that some of the Members may be forgerers, that too is objectionable.

Shri G. N. Dixit: I never said that; I said that some of my clients were forgerers and they can produce such documents against any one of those Members on that side.... (*Interruptions*).

Mr. Speaker: If any one Member has been called as a forgerer, that would not go on record . . . (*Interruptions*).

Shri Shinkre (Marmagoa): Are you going to close this dirty business or not?

Shri Umanath: It is unparliamentary; he calls the business as dirty business. (*Interruption*).

Mr. Speaker: Order, order.

Shri Hem Barua (Gauhati): Sir, yesterday, certain allegations were made by an hon. Member against an hon. Minister. The hon. Minister has made a statement and therein he has said that the allegations are false and unfounded. Then, you in your wisdom—I must congratulate you for that because you have done a very rare thing—have accepted the suggestion made by Shri Dwivedy that there should be an enquiry into the allegation—

Mr. Speaker: I have not said that. (*Interruption*). Order, order. What I had said is on record. I have said, "Let all the records be sent to me and I will see if a committee is called for to find out the truth." That is what I have said.

Shri Hem Barua: Yes. That is what you have said. I just wanted to say that you have done a rare thing by saying that the papers should be placed at your disposal and you will hold an enquiry into it. You have set a very healthy precedent and in future I hope and trust that this precedent too would govern the future disposal of the cases.

But, at the same time, you also said this—if my memory is correct—that after you hold an enquiry personally

[Shri Hem Barua]

into this allegation, if the things are found correct or you are satisfied, then you are prepared to appoint a Committee and all that. I think you have said like that.

Now, I want to move this motion—after this ruling you have given, a very healthy precedent that you have set—that there should be an end to this discussion, because, things must not be allowed to go on like this. Therefore, I move a motion for closure. Before that, I must tell Shri Dixit, who has raised the point that most Members or some of them are involved in such a thing, one thing. I challenge the whole House: if they can cite a single instance against anyone of us, I will be the first man to resign my membership of this House.

13.23 hrs.

RE. ARREST OF MEMBERS

(Dr. Ram Manohar Lohia)

श्री मधु लिमये (मुंगेर) : डा० लोहिया की गिरफ्तारी के बारे में आप कब निवेदन करेंगे । इसके बाद करेंगे क्या ?

डा० राम मनोहर लोहिया (फर्रुखाबाद) : क्या फरमाया है, अध्यक्ष महोदय, आपने इसके बारे म ?

दो तीन बार इसके बारे में मैंने आपको कहा भी है और आपको खत भी लिखा है । आपने वचन दिया था कि आप चव्हाण साहब से बातचीत करके दफा 107 के बारे में बयान देंगे । लोक सभा जब बैठी होती है तो अपोजीशन को खत्म करने के लिये ऐसी धाराओं का इस्तेमाल किया जाता है .

अध्यक्ष महोदय : अभी चाहते हैं तो मैं अभी इसके बारे में कहे देता हूं । मैंने चव्हाण साहब से और ला मिनिस्टर साहब से, दोनों से इस पर बात की है । दोनों पर मैंने इस बात पर जोर दिया है कि जो यह शिकायत है कि 107 दफा का नाजायज इस्तेमाल होता है और डर है इसके इस्तेमाल होने का खसूसन तब जब कि पार्लियामेंट बैठ रही हो, तो इस डर को किस तरह से दूर किया जाए ।

श्री त्यागी (देहरादून) : आइन्दा नहीं होगा ।

अध्यक्ष महोदय : डा० साहब ने मुझे चिट्ठी लिखी थी । दो चीजों का उन्होंने मुतालिबा किया था । एक तो यह था कि 107 में पार्लियामेंट के मेम्बर गिरफ्तार न किये जायें । दूसरी यह थी कि जब पार्लियामेंट बैठी हुई हो उस वक्त किसी मेम्बर को गिरफ्तार न किया जाए

डा० राम मनोहर लोहिया : एक बड़ी बात और थी जो मैंने कही थी और मेरे खत में भी है । वह यह है कि दफा 107 एक नालायक दफा है । उसका गैर-कानूनी इस्तेमाल हुआ है । हमारे ऊपर ही हुआ है ऐसी बात नहीं है (इंटरप्शंज) इनको चुप करवाइये, अध्यक्ष महोदय । दफा 107 जाब्ता फौजदारी की दफा का जो पांचवां अध्याय है और जो जुर्म के निरोध के लिए है, वह हमारे संविधान के बिल्कुल खिलाफ है । आप अक्सर कह चुके हैं कि इस तरह की दफाओं के बारे में अदालतों में जाकर फैसला लिया करो । अदालत में मैं गया हूं । मैंने वहां मुख्य न्यायाधीश से कहा कि यह दफा 107 न सिर्फ मेरे खिलाफ बल्कि हिन्दुस्तान के मामूली गरीब आदमी के खिलाफ भी इस तरह से इस्तेमाल होती है कि आधे से ज्यादा जिनको गिरफ्तार किया जाता है, वे गिरफ्तारी के वक्त साहूकार होते हैं और सरकार उनको गिरफ्तार करके फिर आदत डलवा देती है जुर्म वगैरह करने की । यह तो दफा 107 के बारे में हुआ । इसी का नाजायज इस्तेमाल नहीं होता है

बल्कि दफा 144 जो है और खास तौर से यह दफा 109 जो है ये सब दफायें भारत के नागरिक के ऊपर, उसके सम्मान, उसके जीवन, उसकी सुरक्षा, उसकी आजादी के ऊपर एक महान चोट है और ये दफायें नहीं रहनी चाहियें। इसके बारे में अदालत में मैं गया था। तब गृह मंत्री ने मुझे छोड़ कर अदालत के फैसले को बरबाद करवाया है। यह एक बहुत बड़ा आरोप था। इसके ऊपर आप मेहरबानी करके अपनी राय दें।

अध्यक्ष महोदय : दो बातें उन्होंने कही थीं। एक तो यह कि दफा 107 जिस पर उन्होंने बहुत जोर अभी दिया है और इसको दोहराया है यह विधान के बरखिलाफ है। पहली चीज यह है कि आया संविधान के बरखिलाफ है या नहीं, इसका फसला मैं नहीं कर सकता हूं और न मैं ला मिनिस्टर के साथ और होम मिनिस्टर के साथ अपनी बातचीत में इसका फैसला कर सकता था। दूसरी चीज यह है कि माननीय सदस्य गए थे उसको नाजायज करार दिलाने के लिये और उन्होंने मुकदमा वापिस ले लिया इसलिए वह नहीं करा सके। मैं समझता हूं कि चटर्जी साहब इसके बारे में ज्यादा बतला सकेंगे। मैं तो इतना ला का वाकिफ नहीं हूं। लेकिन मैं समझता हूं कि अगर न भी 107 का मुकदमा चल रहा हो तो भी किसी सेक्शन को अल्ट्रा वायरस करार दिलाने के लिए हर एक सिटीजन जा सकता है और आप भी जा सकते हैं। अगर 107 विधान के खिलाफ है तो उसको आप वैसा करार वहां दिला सकते हैं। इसमें कोई रुकावट नहीं है।

श्री मधु लिमये : नहीं करते हैं। जब कोई गिरफ्तार हो तभी हो सकता है। वैसे नहीं हो सकता है।

डा० राम मनोहर लोहिया : न्यायाधीश ने मना किया है। उन्होंने कहा है कि तुम्हारा मतलब क्या है ?

अध्यक्ष महोदय : तीसरी बात उन्होंने यह कही है कि धारा 107 में पार्लिमेंट के मेम्बर गिरफ्तार न किये जायें। ऐसी बात मैं कोई नहीं कर सकता हूं। उसकी वजह यह है कि यह तो एक नया प्रिवलेज क्रियेट करना होगा जो कि हम नहीं कर सकते हैं और न हाउस कर सकता है। और कोई नया प्रिवलेज क्रियेट नहीं हो सकता है।

ज्यादा से ज्यादा जो मैं कर सकता था वह मैंने किया है और मने दोनों मिनिस्टर्ज से कहा है, उन से प्लीड किया है कि ऐसे फीयर्ज मेम्बर्ज के मन में नहीं होने चाहियें कि जब वे अपना नार्मल काम कर रहे हों तो उसमें कोई बाधा आए। यह भी किसी वक्त खयाल नहीं होना चाहिये उनको कि इसका नाजायज इस्तेमाल हो रहा है, इसका मिसयूज हो रहा है पार्लिमेंट के मेम्बर्ज के खिलाफ खसूसन उस वक्त जब कि पार्लिमेंट चल रही हो। इस वास्ते

Unless it becomes absolutely necessary for the executive to make any arrest, it should not make it; they have to decide; it should not be left merely to the simple, ordinary officer. More care should be taken and caution exercised. Due care and caution must be exercised and only when it becomes absolutely necessary, arrest should be made; otherwise it should not be made. That was the utmost that I can do, and I have done that.

Shri Hari Vishnu Kamath (Hoshangabad): Sir, on a point of clarification. We have heard you with attention and great respect. I would like to know if the Ministers agree to your suggestion, the suggestion that you made first.

अध्यक्ष महोदय : यह तो उनको कंसिडर करना है।

श्री हरि विष्णु कामत : यकीन नहीं दिलाया है ?

अध्यक्ष महोदय : मैंने उन से कहा है। क्या करते हैं यह देखना है। यह तो जो अमल होगा उससे पता चलेगा।

Shri Hari Vishnu Kamath: All right. The other point is this. You requested Shri Chatterjee to throw light on a particular matter. I hope he will do so in due course. But what worries me is this: that day, and also today—because what happened to Dr. Lohia may happen to any other Member of the Opposition....

अध्यक्ष महोदय : इस पर बहस हो चुकी है। अब सवाल यही था कि मैंने क्या बात की है। उस पर अब नए सिरे से बहस की जाए यह तो ठीक नहीं है।

श्री हरि विष्णु कामत : जो रूलिंग दिया है, उसके मुताल्लिक मैं कह रहा हूं। 229 जो है . .

अध्यक्ष महोदय : रूलिंग नहीं दिया है। जो बात हुई है उसकी इत्तिला मैंने दी है। मैंने उनको क्या कहा है यह बताया है।

Shri Hari Vishnu Kamath: You were good enough to say that you are not prepared to go into the merits as to whether sections 107 or 151 of the Cr. P.C. can be applied or not.

Our rule 229 says:

> "When a member is arrested on a criminal charge or for a criminal offence...." etc.

As Mr. Chatterjee pointed out the other day, under sections 107 and 151 no criminal charge or criminal offence can be laid before any member. So, as long as this rule stands, these sections cannot be used.

Mr. Speaker: That only means no intimation is necessary. Otherwise, if it is illegal arrest, that is to be decided by the courts.

श्री मौर्य (अलीगढ़) : अध्यक्ष महोदय, आप उस दिन की कार्यवाही को निकलवा कर देख सकते हैं कि आपने एक और विश्वास दिलाया था, एक वादा और किया था। दफा 107 संविधान के खिलाफ़ है, इसका फ़ैसला आपने अदालत के लिए छोड़ दिया है। उसके दुरुपयोग के बारे में भी आपने एक बात कही है। लेकिन आपने एक और विश्वास भी दिलाया था।

जब संयुक्त सोशलिस्ट पार्टी के नेता, श्री मणिराम बागड़ी, को इस दफ़ा में गिरफ्तार किया गया, तो मजिस्ट्रेट ने उनको जो कागज दिया, उस पर उसने लिखा कि अगर आप पच्चीस पच्चीस हज़ार रुपये की दो जमानतें दें, तो आपको छोड़ दिया जायेगा। पच्चीस पच्चीस हज़ार रुपये की दो जमानतें देने के लिए मैं स्वयं और श्री काशीराम गुप्त, पार्लियामेंट के दो मेम्बर गए। हमने अपने आइडेंटिटी कार्ड उनको दिखाए। मैं दस हज़ार रुपये की अपनी जीप और सत्रह हज़ार रुपये की अपनी नई फ़ियट कार लेकर गया। श्री गुप्त अपनी तीस हज़ार रुपये की सम्पत्ति लेकर गए, एक कार और एक जीप लेकर गए। हमने मजिस्ट्रेट को उनको दिखाया। उसके यहां एक टेलीफ़ोन आया। उससे पहले वह जमानत लेकर छोड़ रहा था, लेकिन टेलीफ़ोन आने के बाद उसने एस० एच० ओ० को आर्डर दिया, "**एस० एल० ओ० टु वेरिफ़ाई दि स्टेटस आफ़ दि श्योरटी**"। इस पर मैंने अदालत में हलफ़िया बयान दिया। उस पर भी उन्होंने यही आर्डर किया। मेरा कहना यह है कि उस मैजिस्ट्रेट ने इरादे के साथ माननीय सदस्य को डीटेन करना चाहा, बावजूद इस बात के कि पच्चीस पच्चीस हज़ार रुपये की दो जमानतें मौजूद थीं। टैक्सी वाले और ट्रक वाले डकैतों की जमानतें करके छुड़ा लेते हैं। पार्लियामेंट के मेम्बर होने की बात छोड़िये, आइडेंटिटी कार्ड की बात छोड़िये, मैंने जो हलफ़िया बयान दिया, उसकी बात भी छोड़िये, लेकिन

हम लोग अपनी जायदाद लेकर गए थे, इसके बावजूद मजिस्ट्रेट ने श्री बागड़ी को नहीं छोड़ा आपने यह कहा था कि आप देखेंगे कि कहां तक उन्होंने अपनी शक्ति का दुरुपयोग किया है।

अध्यक्ष महोदय : मैं मैजिस्ट्रेट की डिस्क्रीशन और एक्सरसाइज आफ़ पावर के बारे में कोई जजमेंट या फ़ैसला नहीं दे सकता हूं। कोर्ट में जो भी जाता है, वह बतौर एक सिटीज़न जाता है। मैंजिस्ट्रेट क्या करता है, मैं उसके बारे में कोई दखल नहीं दे सकता हूं। आपने जो लिखा था, वह मैंने होम मिनिस्टर साहब को लिख दिया था। होम मिनिस्टर साहब की तरफ़ से जो जवाब आया, उसकी इत्तिला भी मैंने आपको दे दी थी।

श्री मौर्य : मैजिस्ट्रेट द्वारा पार्लियामेंट के मैम्बर्ज के एफ़ेडेविट पर शक किया जाता है।

13.33 hrs.

POINT OF PERSONAL EXPLANATION—*contd.*

The Minister of Defence (Shri Swaran Singh): Sir, when I was not present in the House, Dr. Lohia made some statement about Appeejay Shipping Lines. I was food Minister from August 1963 to July 1964. Whatever may be the lapses of my department or my subordinates, I am responsible as Minister; I am not running away from it. But I was pained to see that he did not confine himself to the lapses of the department and their shortcomings, but in a very vague manner he made the allegations and clubbed me saying from patwari up to Mr. Patil and Mr. Swaran Singh, they are guilty of accepting illegal gratification. This type of statement was aboslutely unjustified. It is unfortunate that he should have made such a statement and in that vague manner.

I was surprised—I do not know whether you are expunging that remark or not—that on an earlier occasion somebody said that Rs. 7 lakhs had been taken for some Congress fund and today somebody says that Rs. 75,000 had been paid to me. This amount goes on shrinking or increasing according to the whims and desires of these hon. Members.

Shri Maurya: You can give the correct figure.

Shri Swaran Singh: I would like to say that I have been serving this House for the last 15 years. These matters which are 3 or 4 years old are bandied about at the fag end of the session when we are going to the polls. It is most unfortunate that incorrect allegations should have been made. I strongly repudiate them as absolutely unfounded and without any basis.

श्री मधु लिमये : मंत्री महोदय ने कहा है कि इस सत्र के अन्त में और चुनाव से पहले इस प्रकार के मामले उठाए जा रहे हैं,लेकिन मैं बताना चाहता हूं कि अमीचन्द प्यारेलाल और इस्पात मंत्रालय का मामला तो पिछले सत्र से चल रहा है।

डा० राम मनोहर लोहिया : ये लोग हमेशा कह दिया करते हैं कि बिना किसी तफ़सील के यहां आरोप लगा दिये जाते हैं। जब वह अन्न मंत्री थे, उस वक्त क्या...

अध्यक्ष महोदय : मैं इस वक्त और नये आरोप लगाने के लिए मौका नहीं दे सकता

(*Interruptions.*)

श्री मधु लिमये : लेकिन आपने अमीचन्द प्यारेलाल के दोस्तों को मौका क्यों दिया सफाई देने का ?

अध्यक्ष महोदय : माननीय सदस्य ने आरोप लगाए और मिनिस्टर साहब ने उनसे इन्कार किया। अब जजमेंट करना इस हाउस का काम है।

डा० राम मनोहर लोहिया : जब सरदार स्वर्ण सिंह खाद्य मंत्री थे, तो एक जहाज से एक हजार टन चावल ग़ायब हुआ।

श्री राधेलाल व्यास : पायंट आफ़ आर्डर।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मैं बोल रहा हूं। मेरा पायंट आफ़ आर्डर नहीं है और इनका हो गया? आप किस तरह लोक सभा को चला रहे हैं? आप मेरा व्यवस्था का प्रश्न सुनिये।

श्री राधेलाल व्यास : मैं रूल 356 के तहत अपना पायंट आफ़ आर्डर उठा रहा हूं। श्री दीक्षित ने इसको और आपको ध्यान आकर्षित किया था।

श्री मधु लिमये : फिर माननीय सदस्य क्यों दोहरा रहे हैं?

श्री राधेलाल व्यास : रूल 352 में कहा गया है :

> "A member while speaking shall not—make a personal charge against a member",

वह मेंडेटरी है। इस रूल के सब-रूल (7) में कहा गया है :

> "utter treasonable, seditious or defamatory words"

अभी इस सदन में इस प्रकार के शब्दों का प्रयोग किया गया, "कल का छोकरा" "चोर", "दो कौड़ी का आदमी।" मेरा निवेदन है कि जिन शब्दों को इस नियम के अनुसार कहा ही नहीं जा सकता है, वे शब्द यहां पर कहे गये हैं। नियम 380 बहुत वाइड है। उसमें कहा गया है कि अगर कोई डिफेमेटरी शब्द कहे गए हैं, तो आप उनको निकाल सकते हैं। रूल 380 इस प्रकार है :

> "If the Speaker is of opinion that words have been used in debate which are defamatory or indecent or unparliamentary or undignified . . ."

अगर इस प्रकार के शब्दों का प्रयोग किया जाये, तो आप उनको एक्सपंज कर सकते हैं। मेरा नम्र निवेदन यह है कि यहां पर तीन, चार, पांच सदस्य खड़े हो कर इस तरह चिल्लाते हैं, जैसे बाजार में लड़ाई भी नहीं होती होगी। आप पर यह दबाव डाला जाता है कि आप नियमों के अनुसार नहीं चलते हैं। लेकिन जो सदस्य इस प्रकार का दबाव डालते हैं, वही सारा फ़ायदा उठाते हैं नियमों का उल्लंघन करके, नियमों के खिलाफ़ भाषण करके और बगैर आपकी इजाजत के बोल कर। रोज़ाना इस सदन में डेढ़ दो घंटे का समय इस प्रकार चला जाता है। मेरा निवेदन है कि आप इन प्रोसीडिंग्ज को देखें और इन नियमों के अनुसार सब इनडिसेंट, अनडिग्नीफ़ाइड, अनपार्लियामेंटरी और डीफ़ेमेटरी शब्दों को निकाल दीजिए और नियमों का पालन सख्ती से कराया जाये।

श्री बागड़ी : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। मैं इसी सदन में एक शब्द कहने की बिना पर सजा भुगत चुका हूं। मैंने यह कहा था कि यह लोक सभा है, यह मुग़ल दरबार नहीं है। दरबार और इस सदन का मुकाबला कम या ज्यादा हो सकता है, लेकिन मुझे यह शब्द कहने पर सजा मिली। माननीय सदस्य ने, जो कांग्रेसी हैं, यह कहा है कि "क्या यह कोई बाजार है"? अगर कोई सदस्य इस सदन का बाजार से मुकाबला करे, तो उसके खिलाफ कार्यवाही न हो और अगर मुग़ल दरबार की बात कही जाये, तो उस पर कार्यवाही हो, मैं इस बारे में आपकी व्यवस्था चाहता हूं।

अध्यक्ष महोदय : मेरी व्यवस्था यह है कि कहने में कोई हर्ज नहीं है कि यह बाजार नहीं है।

श्री बागड़ी : मैं कहना चाहता हूं कि बाजार से मुकाबला करना इस सदन का अपमान है।

अध्यक्ष महोदय : यह बाजार नहीं है, यह उन्होंने कहा है ।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, आप मेहरबानी करके नियम 357 देखें जिस पर कि आपने सरदार स्वर्ण सिंह को बोलने का मौका दिया । उसमें लिखा है :

"In this case no debatable matter may be brought forward and no debate shall arise."

तो यह बिल्कुल साफ बात है कि उन्होंने यहां पर विवादास्पद बातें उठाई जब आपने इनको मौका दिया और मैं इसी तरीके से . . .

अध्यक्ष महोदय : कोई विवाद की बात उन्होंने बिल्कुल नहीं उठाई । सिर्फ इनकार किया ।

डा० राम मनोहर लोहिया : जब कि मैं कल साफ कह चुका हूं कि सिर्फ एक ही जहाज पर एक हजार टन चावल गायब हुआ और यह मैं नहीं कह चुका हूं आपके कागज कह रहे हैं जो कागज आपने हमको दिए अपने दफ्तर से उन कागजों में है कि 24-5-64 को जब यह अन्न मंत्री थे तब राजीव नाम के जहाज पर चावल आना था 6987 टन और आया 6004 टन । यानी 983 टन चावल गायब । 983 टन का मतलब हुआ 980 हजार जिसके मानी होते हैं चार पांच लाख रुपये सिर्फ एक जहाज का यह है और ऐसे पचासों जहाजों से गायब हैं तो ऐसी हालत में जब इस तरह की बहस हो तो उसको किसी नतीजे पर कहीं तो आप पहुंचायें वरना यहां पर बहस करने का नतीजा क्या होगा ? मंत्री यह सब काम करते रहेंगे । हम मेहनत करके यह सब पता लगायेंगे और यहां रखेंगे तो मंत्री आकर कह देंगे कि यह बात गलत है, बिना तफसील के है, झूठ है तो इसका कहीं कोई नतीजा तो निकलना चाहिए । मैं चार महीने से आपके सामने यह सवाल रख रहा हूं । पहला दस्तावेज जो सदन पटल पर यहां रखा गया था वह सितम्बर महीने में रखा गया था आपके सामने और फिर उसके बाद एक यह कागज आपके पास एक महीने से है । यह सारे कागज आपके पास हैं । इनके होते हुए आप हमारे ऊपर निरर्थक ढंग से यह आरोप लगाने देते हैं कि हम यह आरोप कहीं अपने घर में बैठे हुए लगा देते हैं . . .

अध्यक्ष महोदय : बहुत अच्छा, मैंने सुन लिया । आप इतने अरसे से रख रहे हैं मगर मैं उसकी बहस तो नहीं छेड़ सकता । आप और कोई दें और उसमें बाकायदा तौर पर हो तो बहस हाउस सुन सकता है, उस पर मैं तो फैसला नहीं दे सकता हूं । आप यह चाहते हैं कि आप आरोप लगायें तो किसी को इतना कहने का भी हक नहो कि यह गलत है? वह सिर्फ मान जाये और खामोश बैठा रहे ? मैं इससे इत्तफाक नहीं करता ।

डा० राम मनोहर लोहिया : मंत्री से कहिये कि राजीव के बारे में बतलायें . . . (**व्यवधान**) . . . यह सब तफसील के आरोप इनके ऊपर हैं . . . (**व्यवधान**)

13.43 hrs.

STATEMENT RE. RECENT LEGISLATION IN NEPAL AFFECTING RIGHTS OF INDIANS

The Minister of State in the Ministry of External Affairs (Shri Dinesh Singh): Sir, I beg to lay on the Table a Statement on the recent legislation in Nepal affecting rights of Indians. [*Placed in Library. See* No. LT-7497/66].

Shri Joachim Alva (Kanara): Sir, you promised to call me.

Mr. Speaker: Yes, what is his point of order?

Shri Joachim Alva: Sir, I want to ask you whether Shri Bagri can change four places in one day? Can he jump from place to place and speak? One day when your Chair is vacant he will jump to your place and speak from there.

Mr. Speaker: He might not have intended that up to now, but giving him a suggestion might encourage him.

Shri Joachim Alva: The other day also he changed four places. I want you to permit him to speak from one place only.

Mr. Speaker: As I have not been able to allot him a particular place, I have to tolerate it.

Shri Hem Barua (Gauhati): Sir, what happened to item No. 20 of the Order Paper?

Mr. Speaker: That statement has been placed on the Table.

Shri Hem Barua: Sir, I wrote to you that I want to seek a clarification. Can I seek that clarification from the Prime Minister?

Mr. Speaker: Let Shri Dinesh Singh come, I will allow him.

Shri Hem Barua: Sir, when he comes. . .

Mr. Speaker: I will call him. Let Shri Dinesh Singh be asked to be present.

13.45 hrs.

MOTION *RE*: ELEVENTH REPORT OF THE COMMITTEE OF PRIVILEGES

Shri Kapur Singh (Ludhiana): Mr. Speaker, Sir, the genesis of the subject matter over which the Eleventh Report of the Committee of Privileges has been presented to this House on the 30th November, 1966 has been given in the opening paragraph of this report. It arises out of a question of privilege, raised by Shri Madhu Limaye on the 18th August and referred to the Committee by the House, against Col. Amrik Singh with regard to a letter dated 4th August, 1966 written by Col. Amrik Singh to the Speaker, Lok Sabha, which mentioned of a document alleged to have been sent by Shri Jit Paul showing an entry of payment of a sum of Rs. 40,000 against the name of Sardar Hukam Singh, Speaker, Lok Sabha.

It will be recalled that there was a lapse of a few days, I think three or four days, before the matter was referred to this Committee and between the date on which the letter of Shri Madhu Limaye reached your hands. As subsequent developments in this case show, this was one of the most unfortunate things that could have happened, because a careful perusal of the report shows that, throughout, the Committee was burdened with the most terrible alternative of either paying attention to the words which you spoke when you referred the matter to the House or to proceed in accordance with the rules which are mentioned in the book of Rules of Procedure. The words with which you referred this case to the Committee were, in substance, to the effect that if such a document at all exists or ever existed then "I shall resign my office". It became a burden on the mind of the Committee. It would seem from a perusal of the report that they felt that either they have to proceed in accordance with the requirements of the Rules of Procedure and find out the facts in regard to the matter referred to it, or to resign to the alternative which you had offered to this House, namely, to resign your seat if the existence of this document at all can be shown to be a fact.

Mr. Speaker: Does he mean to say that the Committee came to that conclusion because they had before them the fact that I had said that I would resign?

Shri Kapur Singh: I am coming to that point.

Mr. Speaker: That imputation should not be made against the Committee that they were dishonest people and because I had said I would resign they came to that conclusion.

Shri Kapur Singh: I have said nothing of that sort.

Mr. Speaker: It comes to that.

Shri Kapur Singh: Sir, in this the Committee has proceeded in a manner which is in contravention of the Rules of Procedure and also in contravention of the rules of taking evidence by the Committee, and this might have been done owing to the terrible predicament under which the Committee had to work....

Shri Frank Anthony (Nominated—Anglo-Indians): Sir, I rise to a point of order. In the committee we functioned as a court. Even if we extend the proceedings on an analogy with a court, can one member of a court impute motives and malign fellow members?

Shri Kapur Singh: I am not imputing any motive.

Shri Frank Anthony: He says by way of an **ipse dixit** that he is not imputing motives, but whatever he has said imputes motives to fellow members.

Shri N. C. Chatterjee (Burdwan): Sir, it is an imputation on a quasi-judicial tribunal. The House appointed that tribunal. It was a serious charge that was referred to it. We dealt with it with a sense of responsibility. We were never influenced by whatever you said, whether you were going to resign or not. We wanted to get at the truth. I may tell the House that we gave this gentleman, Col. Amrik Singh, ample opportunity to produce the document. In spite of repeated opportunities given he never produced it, and that was the whole basis of this charge.

Shri Kapur Singh: Sir, it has made me very happy to hear from my two learned colleagues that they were not influenced by what you said in the House.

श्री मौर्य (अलीगढ़) : मेरा व्यवस्था का प्रश्न है । इस कमेटी के जिन तथ्यों को लेकर सरदार कपूर सिंह यहां तथ्य रख स्वयं उस कमेटी के सदस्य है और उस में कुछ ऐसा लग रहा है कि जो रिपोर्ट आयी है और जो तथ्य यहां पर रखे जा रहे हैं उन में भिन्नता है । तो जब तक कि वह पूरी रिपोर्ट और उस की पूरी कार्यवाही सदन के सामने न हो, हम यह अन्दाजा नहीं लगा सकते हैं कि उस में क्या तथ्य हैं । वास्तविकता को जानने के लिए यह अनिवार्य है कि पूरी की पूरी प्रोसीडिंग्स जिस के बारे में हवाला दे रहे हैं वह पूरी सदन के सामने आये ।

अध्यक्ष महोदय : यह कोई प्वाइंट आफ आर्डर नहीं है ।

Shri Kapur Singh: It has indeed made me very happy to hear from two of my hon. colleagues that what was lurking in my mind, namely, that the remarks which you had made then regarding this matter had some psychological effect, some sub-conscious effect that has absolutely no basis whatsoever. I am very happy to hear about it. But, unfortunately, the fact remains that in this case things have happened which normally, in the case of the Committee of Privileges, as my experience for the last four or five years shows, have never happened. There must be some explanation for it and I hope that explanation may be forthcoming. I do not impute any motive to anybody. I am merely stating facts and drawing the inferences which I can draw from them.

It may be recalled that on a previous occasion the question arose as to whether a part, portion or paragraph from a minute of dissent given by a Mem-

[Shri Kapur Singh]

ber of the Privileges Committee can be expunged, and at that time it was sought to be justified by one of the brilliant legal luminaries of this House on the argument, namely, that if the rules permit that an expression or phrase may be expunged, it follows that sentences and paragraphs may also be expunged. Sir, this House passed that report and accepted that report, but thereby it inflicted such a grievous harm to the democratic processes of this Parliament that I beg your leave to be permitted to point that out here on this occasion.

The essence of the argument which was advanced by the hon. Member, to which the heavy weight of your own authority was also lent by your statement, "I have nothing more to add" is that while discussing matters of discursive logic, it is to be presumed that a part contains the whole. Sir, if this is the new postulate of logic which we have laid down in this House, and which we have accepted as the basis of our discussions and democratic dialogue in this House, then, I must say that the souls of Jaimini, Shavarswami and Kumaril Bhatt, our ancient givers of logical laws, must be perturbed in the Swargaloka at what we are doing to the logical traditions of India.... (*laughter*). It is not a matter for laughter. It is one of the most serious things that has happened to the parliamentary traditions of this country; it is one of the most serious things that has happened to the very basis of the type of life which we have given to ourselves in our Constitution, a life to be regulated and to be governed through a democratic dialogue.

Now, in this particular, case, my note of dissent has been excluded on another ground, because it is argued that rule 314 of the Rules of Procedure merely says that a report shall be presented, but it does not say that a note of dissent shall be presented. Sir, I will not argue this point any further. I will merely ask a few questions for the consideration of the House. Does a report mean merely the majority report? Does not a report mean the views and conclusions arrived at by all the members of the Committee? Why, for the first time in the history of Indian Parliament, is it felt necessary to exclude the dissenting opinion altogether from the body of the report? These are very interesting questions, of which the House may take note, so that healthy traditions may be set for the guidance of our future generations.

Now, I will take a cursory look at this report and try to show how the remarks which I have made are relevant.

Mr. Speaker: He should be brief.

Shri Kapur Singh: Since it is one of the most important points which I am raising I hope, Sir, you in your indulgence will give me a little more time. In my note of dissent I have pointed out certain very pertinent things which I wanted the Committee to take note of.

Shri Khadilkar (Khed): Sir, may I seek a clarification? The minute of dissent is not before us and the hon. Member is referring to that.

Mr. Speaker: I was also about to refer to it.

Shri Kapur Singh: I am merely telling you the points that I have mentioned in my note of dissent. I will not read the minute of dissent.

Shri Khadilkar: Sir, it is a very important question. If he is to give arguments, based upon his minute of dissent, which is not before us . . .

Mr. Speaker: I am saying the same thing. In this manner, the hon. Member cannot bring in the note of disset here on record, when it has been excluded by the Committee.

Shri Kapur Singh: Even if the Committee has excluded it from the report,

I have a right as a member of the House to speak on the report and give my views. I am not reading the minute of dissent. I am merely reading the salient points from the minute of dissent. What is wrong with it? I could not make those points before the Committee; therefore, I want to make them before the House, so that the House may have a proper consideration of the report. What is wrong about it?

Mr. Speaker: He should not be angry with me. Every time he addresses me, he addresses me in such a manner which gives the impression. . . .

Shri Kapur Singh: I am not angry with you, but I am angry with the type of objections that are made from that side.

Shri Khadilkar: This is not the way of referring to an hon. Member. I take strong exception to that. Firstly, this is a parliamentary committee, a quasi-judicial body or tribunal, whatever you call it. Now he cannot directly refer to the minute of dissent which has been excluded . . .

Shri Kapur Singh: Why not? It is my own note which I am referring to.

Shri Khadilkar: He should confine his remarks to that matter or report which has been presented to the House. He cannot by some dubious methods try to bring about certain arguments that he has advanced in the minute of dissent. That should not be on record.... (*Interruptions*).

Shri N. C. Chatterjee: Sir, may I draw your attention to rule 315, sub-rule (2), which makes it perfectly clear that nothing can be referred to except what is mentioned in the report? Rule 315 refers to "consideration of report" and sub-clause (2) of that rule says:

"Before putting the question to the House, the Speaker may permit a debate on the motion, not exceeding half an hour in duration, and such debate shall not refer to the details of the report further than is necessary to make out a case for the consideration of the report by the House."

Therefore, all that he can do here is to make submissions on the report, criticise what is mentioned there.

Shri Kapur Singh: That is what I am doing.

Shri N. C. Chatterjee: Please, let me complete. Your Direction No. 68 clearly says:

There shall be no minute of dissent to the report."

You have put it down in your directions, and so long as that stands, that is the law which we have to follow.

The Minister of State in the Ministry of Law (Shri C. R. Pattabhi Raman): My esteemed friend just now read out from Direction No. 68 to show that there can be no minute of dissent. Here may I, by your leave refer to rule 275 from Chapter XXVI-Parliamentary Committee. It is not a Select Committee so that you can have a minute of dissent. This Committee consists of members of Parliament and it is a parliamentary committee. So, we are governed by this Chapter. Now, what does rule 275 say? It says, firstly, that the whole or a part of the evidence or summary thereof may be laid on the Table. Secondly, it says that the evidence, report of proceedings not laid on the Table cannot be inspected by any one except with the permission of the Speaker. Thirdly, it says that the evidence given before the Committee shall not be published by anybody until it is laid on the Table. The proviso says that the evidence can be confidentially made available to members by the Speaker. The position is very clear. So far as this Committee

[Shri C. R. Pattabhi Raman]

is concerned, there is no provision for a minute of dissent, as has been pointed out by Shri Chatterjee. What is more important, as you are aware, Sir, the Committee went very deeply into this matter and two members of the Committee went and examined the documents. It is only after that that the Committee has come to its conclusion, which it has given in its report. Therefore, I do not think there is any provision at all in the rules under which the hon. Member can refer to his minute of dissent, which has been excluded from the report, while considering the report of the Committee.

Shri Tyagi (Dehra Dun): In this connection, I would also like to refer to one thing. This Committee functions like a court, as my hon. friend has already stated. In the High Court, are the judges not permitted to give dissenting judgments? Sometimes, the majority judges give a majority judgement and the minority of judges give a minority judgement. So, to deprive a Member of submitting his minute of dissent is something which is novel. I do not know whether this could be done. It might be examined whether one of the members of this Committee, if he differed from the majority view, could also give his version; otherwise, where will he go? I think, he should not be denied that benefit.

14.00 hrs.

Mr. Speaker: There is no question of denial. Shri Tyagi has been the Chairman of the Public Accounts Committee. From the very start it was intended that the reports of parliamentary committees ought to be unanimous and no minute of dissent should be attached to them. That has always been the practice here so far as these are concerned. In the reports of Select Committee on Bills there are minutes of dissent and every Member is entitled to submit them.

श्री मधु लिमये : प्रिविलेज कमेटी में भी रहा था। चौथा रपट में है मिनट ग्राफ डिसेंट।

अध्यक्ष महोदय : सी लिए यह डाइरेकशन 68 है। मेरा ख्याल है कि स्पीकर ने या जिस ने भी यह किया उस सी लिए किया होगा कि No minute of dissent should be attached to it.

Shri N. C. Chatterjee: There shall be no minute of dissent.

Mr. Speaker: There shall be no minute of dissent. उनका मतलब यह है कि जो पार्लियामेन्ट्री कमेटी है उस की प्रेस्टिज को रक्खें, उसकी रिस्पेक्ट को रक्खें ताकि वहां जो भी डिस्कशन हो . . . .

श्री मधु लिमये : क्या सेलेक्ट कमेटी पार्लियामेन्ट्री कमेटी नहीं है।

अध्यक्ष महोदय : सेलेकट कमेटी के लिए प्राविजन है।

श्री मधु लिमये : पी० ए० सी० ग्रौर विशेषाधिकार समिति में जमीन ग्रासमान का ग्रन्तर है। एक न्यायालय है ग्रौर एक जांच समिति है।

Shri Tyagi: If it was conventional, they ought not to have mentioned it.

Mr. Speaker: It is a direction by the Speaker.

Shrimati Renu Chakravartty (Barrackpore): As far as the PAC and EC are concerned, there has been a convention which now, I think, we have changed a little bit, namely, that we never discussed their reports in the House. But here is a committee whose report can be discussed in this House. For half an hour a debate can be permitted. To my mind there is quite a difference between the Estimates Committee and the Public Accounts Committee, on

the one hand, and any other committee of this House, on the other. What Shri Tyagi said also occurred to me. I am not a lawyer by any means but I do feel that if in a judgment the opinion of a judge who wants to give a minority opinion is permitted, I do not see any reason why any particular member of that Committee who has differed with the majority opinion should not be permitted to place his point of view before the House or append a minute of dissent—one or the other. Not only are we not allowing him to put in a minute of dissent, he cannot even express his opinion here. His right of speech is there. To exclude that, I think, shows a little bit of nervousness on the part of the judges.

Mr. Speaker: It is mentioned in the Report itself that he differs from the majority report.

Shri Hari Vishnu Kamath (Hoshangabad): If I heard you right you said that it is intended that the reports of these committees should be unanimous.

Mr. Speaker: That direction was there. That had been done by an earlier Speaker. Therefore, I thought that way.

Shri S. M. Banerjee (Kanpur): In the case of Shri R. K. Karanjia.... (*Interruption*).

Shri Hari Vishnu Kamath: Rules 313, 314, 315 and 316 of the Rules of Procedure, which deal with this particular committee, the Committee of Privileges, refer to the report and say that the Report will be submitted by the Committee but now here in these rules do I find he word "unanimous" that it should be unanimous. If the word "unanimous" is not there, it is presumed that it may not be unanimous. If there is no unanimity, a Member, who differs from the majority view, is entitled under the rules to submit a minute of dissent. I do now know how it can be ruled out. I do hope that even if you hold otherwise, which I hope you will not, the Members of the House must have every right, as you have ruled on another occasion...... (*Interruption*).

Mr. Speaker: Even yesterday when Shri Diwivedy asked me....

Shri Hari Vishnu Kamath: I made the request.

Mr. Speaker: I said, "Yes".

Shri Hari Vishnu Kamath: Having read the minute of dissent in your Chamber, a Member should have a right under the rules. I do not think it is expressly barred. You referred to it in the House in the course of the discussion and said that it should not be used in the House.

Mr. Speaker: Last time also I said the same thing.

Shri Hari Vishnu Kamath: The rules governing the Committee of Privileges not barring expressly a Member either from submitting a minute of dissent or a Member from using it....

Mr. Speaker: Please see Direction 68.

Shri Hari Vishnu Kamath: I know. It is about evidence, I belive. But you have already ruled on one occasion that no direction can override the rule; just as no rule can override the Constitution, so also no direction can override the rules.

Mr. Speaker: The direction does not override the rule.

Shri Hari Vishnu Kamath: Well and good. Then I am on strong ground.

Mr. Speaker: There is no rule which this direction overrides.

Shri Hari Vishnu Kamath: What does it do then? If it does not override the rule and if the rule does not prohibit a Member from submitting a minute of dissent....

Mr. Speaker: The rule does not say that he can submit.

Shri Hari Vishnu Kamath: The rule does not also say that he cannot submit.

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): Rule 315, sub-rule (1) says:—

"After the motion made under sub-rule (1) is agreed to, the Chairman or any member of the Committee or any other member, as the case may be may move that the House agrees, or disagrees or agrees with amendments, with the recommendations contained in the report."

He can speak against the report but he cannot speak on the minute of dissent.

Shri Kapur Singh: I am merely paving way for moving the motion before the House that the Eleventh Report of the Committee of Privileges may not be adopted because it is inflicted with grave lacunae. In support of that I have made a few observations and now I want to adduce a few facts in support of my case.

Mr. Speaker: If he wants that it should not be adopted, then that would be the second stage when a motion is made that it should be agreed to, rejected or whatever is to be done.

Shri Kapur Singh: I have to place material before this House before I can make that motion.

Mr. Speaker: There are two stages. One is that this Report be taken into consideration; the second is that this Report be agreed to, or disagreed to or agreed to with some modifications or sent back. At that stage he might say whatever he has to say.

Shri Kapur Singh: I have notified you in advance why I am making certain observations, why I want to bring on the record of this House certain facts ....(*Interruption*).

Shrimati Renu Chakravartty: Let us hear him.

Shri Raghunath Singh (Varanasi): We are hearing him for a long time. We have heard him in the Committee also. How long are we going to hear him?

Shri Kapur Singh: The hon. Member from Banaras is very impatient. If he is hungry or thirsty, he may be pemitted to leave the House. I have hardly spoken for three or four minutes at the most but he says that he has heard enough of me. I protest against his saying that he has heard enough of me. I have every right to make a speech here and he has no business to say that. I have heard enough of that. I have seen enough of this man. I want him to be out of this House. Kindly ask him to go out.

Shri Raghunath Singh: If you have the right to say that, I also can say that.

An hon. Member: Om! Shanti, Shanti, Shanti!!

Shri Kapur Singh: This Report is inflicted with many grave lacunae.

Shri D. C. Sharma (Gurdaspur): Sir, he is my great friend. I want to know what his actual motion is. He must put it in very clear, concise and precise terms so that we can understand what he is aiming at.

Shri Tyagi: Emotion!

Shri Kapur Singh: Sir, I confess, as far as this life of mine is concerned, I shall never be able to attain the clarity, understanding, expression and comprehension which my hon. friend, Professor Sharma, possesses; therefore I request the House to bear with me.

This Report is inflicted with a number of grave lacunae. It has been drafted after a procedure which contravenes almost all the rules of pro-

cedure laid down for such matters. It contravenes rule 270, it contravenes rule 271 and it contravenes rule 273. It is also based on exclusion and suppression of available material and admissible evidence.

The facts in support of what I have just now said are as follows. There are four facts to support it. The first fact is that during the examination of Colonel Amrik Singh it was insinuated and suggested against him that he was falsely claiming a military rank, that he was a dismissed public servant, that he was convicted or involved in serious criminal offences. But each time, when Colonel Amrik Singh attempted to produce or indicate documentary evidence to rebut these insinuations he was not allowed to do so.... (*Interruption*).

This is evident from the Report itself.

The second point which I wish to mention is....

Mr. Speaker: Now, to go into....

Shri Kapur Singh: I am going into what the Report itself contains. You read the Report yourself.

Mr. Speaker: I will read it too.

Shri Kapur Singh: Col. Amrik Singh has testified on oath—in this Report, his evidence is given—that the alleged letter by Jit Paul to one Gen. Thappa of Kathmandu disclosing an illicit payment of a sum of Rs. 40,000 to one S. Hukam Singh was filed by his counsel in judicial proceedings, fully indicated by him. (*Interruption*). It is a part of the Report. What objection have you got against that? It is mentioned in the Report.

He further states on oath here, in this Report, that there is evidence and indication that this document has been secreted away from the judicial file. He has also produced legal evidence that all his attempts to obtain a copy of the document from the judicial records have failed and been frustrated as well as his requests for attested copies of his applications made on this behalf. In the circumstances, he has prayed to the Committee that he may be permitted to produce and file an original letter written at the material time by his counsel, attesting true contents of the letter of Jit Paul filed in the Court about six years ago and also an original letter by this counsel indicating that "S. Hukam Singh" mentioned in the letter of Jit Paul is our present respected Speaker. Under the law of evidence, these two documents constitute most relevant and admissible secondary evidence and also, in view of the fact that this counsel for Col. Amrik Singh is now dead, these documents are admissible as primary evidence under the Law of Evidence.

Another fact is this. Col. Amrik Singh, in reply to a question put to him, expressed his willingness that Gen. Thappa, the recipient and addressee of the letter by Jit Paul should be examined, as he is alive and available. The Committee has not examined him.

Again, Rule 270 of the Rules of Procedure empowers the committee to "send for persons, papers and records". In this case, the committee have continued to exercise these powers with a view to obtain available material, and admissible evidence, and relevant evidence, and, on the contrary, has obliged and has tried to compel Col. Amrik Singh to produce a document which he never claimed to be in his possession and from that they have drawn a wholly unwarranted conclusion that this document does not exist.

Mr. Speaker: Is that all?

Shri Kapur Singh: No, Sir.

Mr. Speaker: He has taken 10 minutes already.

Shri Kapur Singh: Then, Rule 273 of the Rules of Procedure lays down the procedure for examining a witness. As the records of this case will show,

[Shri Kapoor Singh]

the procedure laid down by the Rule was not followed while examining Col. Amrik Singh. He was systematically browbeaten to answer all types of questions relating to his personal integrity as well as the impugned letter by Jit Paul.

The provisions of sub-rule (iii).....

Shri Raghunath Singh: Is he reading from some document or is it his speech?

Shri Kapur Singh: These are my notes. This is not a document. Sit down I am holding the floor. Who is he?

Mr. Speaker: Order, order. He is also a Member.

Shri Kapur Singh: He may be a Member. But he is not holding the floor now.

Shri Raghunath Singh: A written speech is not allowed to be read here.

Shri Kapur Singh: That is for the Chair to decide. You keep quiet.

Shri Raghunath Singh: I am addressing the Chair.

Shri Kapur Singh: These are my notes.

Sub-rule (iii) lays down......

Shri Tyagi: On a point of order, Sir.

Mr. Speaker: Mr. Tyagi, Let him continue. Because it is my personal matter, I would appeal to the Members to let him go on.

Shri Tyagi: I will not take much time.

Mr. Speaker: Let him go on with whatever he wants to say.

Shri Tyagi: A speech or a document which is not permitted cannot be allowed like this.

Shri Kapur Singh: I am reading no document.

Shri Tyagi: If somebody introduces into his speech certain things which are not proved, which the Committee itself did not permit, they should not be allowed. He can only express his opinion on it.

Mr. Speaker: Because it concerns me, let him go on. I cannot put anybody else in the Chair.

Shri Tyagi: It concerns us also. We have to establish some conventions. I have myself pleaded with my hon. friend that he must have full liberty to express his views upon the judgment given by the Committee. I still hold that. But to bring in certain points which were not proved before the Committee could not be regularised here on the floor of the House.

Mr. Speaker: I have asked the Member but he does not listen to that.

Shri Kapur Singh: Rule 273 gives a witness the option to add anything to the answers he has already given to the questions. Even a cursery perusal of the record of the proceedings of this Committee, in this case, will show that Col. Amrik Singh was never allowed this option of adding under Rule 273(iv).

In view of this and in view of many other facts which I could point out to which many of the Members on the Treasury Benches are not in a mood to listen, on the basis of the evidence which has already been produced before this Committee, I am of the opinion that a *prima facie* case has been made that a document does exist, written by Jit Paul to one Gen. Thappa of Kathmandu in which the citations which have been alleged in the letter of Col. Amrik Singh do exist. I do not go beyond that. The conclusions to which the Committee has come are the conclusions which are warranted neither by the evidence on the file nor are they the conclu-

sions which could be arrived at in the manner in which they have been in contravention of the Rules of Procedure.

Shri N. C. Chatterjee: Sir, I want to assure this House that we were not influenced in any way because certain allegations were made against the Speaker or that it would deflect us in any way from the rules of procedure or the principles of natural justice.

I ask: What was the charge? I invite your attention to p. 74 of the Report, paragraph 2—Mr. Madhu Limaye pointed out and it was referred to the Privileges Committee—which reads:

> "A vital document submitted on record with statements u/s 164 Cr. P.C., shows details of bribe money paid to several persons, signed by the said Shri Paul, and a sum of Rs. 40,000/- is shown against your name....

—that is, a letter addressed to you, the Speaker—

> "....The existence of these documents has been admitted by the Government before the High Court in proceedings relating to the connected cases (Cr. Writ No. 18-D/65) after denying the very existence of the proceedings *for* 11 years."

Now, the first question that we put to him was:

> "Where is that document?"

That is the vital point. We said. Produce it and you will prove your case. That is the crux of the matter. Would you kindly look at p. 21?

> "Shri N. C. Chatterjee: In your letter to the Speaker, there is this sentence:—

> "A vital document submitted on record with statements under section 164 Cr. P.C., shows details of bribe money paid to several persons, signed by the said Shri Paul, and a sum of Rs. 40,000 is shown against your name."

> Where is that document?

> Col. Amrik Singh: That was filed by me in the Court of the Special Magistrate, Delhi."

> "Shri Frank Anthony: There are several Special Magistrates."

When Mr. Frank Anthony pointed out that there were several Special Magistrates, then he gave some details.

We wanted him to produce that document. If the document is produced, it proves a good part of the case and then the basis is laid and then we can go on further. We gave him time after time to produce that document.

Shri Kapur Singh: Mr. Speaker, Sir.... (*Interruption*)

Shri N. C. Chatterjee: I am not yielding. There should be some limit to character assassination.

Shri Kapur Singh: When I was on my legs, I was interrupted several times.

Mr. Speaker: Let him proceed.

Shri Kapur Singh: He knows it very well that on 30th November, the Chairman of the P.A.C., Shri Morarka, presented a Report of the P.A.C. in which he alleged......

Mr. Speaker: This is not the manner. When another Member is on his legs, why should he interrupt him.

Shri Kapur Singh: When I was on my legs, I was interrupted several times. In this House, there have been instances. Only three days ago, on 30th November, the Chairman of the P.A.C., Shri Morarka, presented a P.A.C. Report in which he alleged that a vital document was missing from the Government file. Has anybody ever thought of asking Mr. Morarka to produce that document or shut up?

Shri N. C. Chatterjee: What was the complaint of Mr. Madhu Limaye? Kindly look at page 3, paragraph 9.

> "On the 18th August, 1966, Shri Madhu Limaye, M.P., raised a question of privilege in the House on the subject. While raising the matter in the House, Shri Madhu Limaye urged...."

What did he urge?

> "....Shri Madhu Limaye urged that Colonel Amrik Singh should be brought before the House and be asked to produce evidence in support of his allegation about the existence of the document pertaining to Shri Jit Paul...."

The first question that the Committee put to him was, "produce the document". This was exactly what Mr. Madhu Limaye had indicated and that was the first thing that we wanted. If it was proved that such a document existed, then Jit Paul should be punished and in case of alleged failure to do so, Amrik Singh should be severely reprimanded. The whole case was this. He failed to do so and has to be reprimanded.

Kindly look at the facts. The first sitting was held on the 19th August in order to find out what is the truth. We requested two members of the Committee, Mr. Frank Anthony and Mr. Parashar, who were Advocates, to go down to the High Court; we told them, "the writ number is there, the case number is there, look at the record and if you find that there is any such document which says that some bribe money has been paid as alleged by this man, please let us know".

Shri Kapur Singh: Did they testify before the Committee?

Shri N. C. Chatterjee: They went down to the Court. Mr. Anthony is here. I think Mr. Parashar is also here. They will tell you. Nothing of this kind was there. (*Interruptions*).

On the 22nd August, we held the second sitting. We ordered Col. Amrik Singh to appear. He appeared. The fourth sitting was on 1st September, 1966. Kindly look at it. What did we do? On the first document after examining him and after questioning him, when he said, "yes, it is absolutely true, the document is there", we asked him to produce the document. Kindly look at the Minutes of the fourth sitting, page 11.

> "The Committee asked Colonel Amrik Singh to furnish the following documents by the 20th September, 1966."

Remember the date. This is 1st September. We had consulted him. We did not want to be rude to him. We did not want to hustle him. He wanted some time and we said, "very well, produce it by the 20th September and appear before the Committee on the 1st October".

> "(i) The original document..."

That is, the vital document in which this allegation, this noting of bribery is there.

> "....or a certified copy thereof, stated to be signed by Shri Jit Paul."

He never produced the original document, he never produced a certified copy. He never produced anything to substantiate that the document was actually filed in the court. (*Interruptions*)

Shri Kapur Singh: When the document is not in his possession, how can you ask him to produce it? Has such a thing ever happened that you ask a person to move the heaven down to earth?

Mr. Speaker: Order, order. He is on his legs.

Shri N. C. Chatterjee: I do not know why my friend is taking this partisan attitude. I am sorry to say this.

I wanted him to produce this document. But he did not produce it. If it is in the court, we asked him to produce a certified copy. You know the Indian Evidence Act. You know the law about the production of public document. A public document means (*Interruptions*) a document which is on the record of a court or Tribunal.... (*Interruptions*)

Shri Tyagi: Was Mr. Kapur Singh there when this question was put to him?

Shri Kapur Singh: I was there. His answer was that these documents have been spirited away from the court's files.

Shri N. C. Chatterjee: Kindly look at the list of members.—

Mr. Frank Anthony, N. C. Chatterjee, Mr. Kapur Singh and others. He was there—a very important member. We asked him to produce.

> "(ii) Certified copy of the application made by him to the Magistrate at Ambala applying for the return or recovery of the documents and the order of the Magistrate thereon."

He said, "I have applied, but the Magistrate is not giving it". Then we said, "very well, produce a certified copy of the application". It never came. (*Interruptions*)

An hon. Member: Even the application!

Shri N. C. Chaterjee: "(iii) Certified copy of the order of the District Magistrate at Ambala returning his application stating that the documents were not traceable...."

This is the crux of it. He said, "the document cannot be traced; the Magistrate has recorded it".

Then we said, "very well, produce the order of the Magistrate that it is not traceable". He cannot produce it.

The next is:

> "(iv) Certified copy of the application made by him to the Magistrate at Delhi/New Delhi applying for the return of the documents and the Magistrate's order thereon".

Nothing came. Then:

> "(v) Certified copy of the petition or application made by him when the document in question was filed by him in the Court."

Nothing came. Then:

> "(vi) Certified copy of the Order Sheet or the original thereof in this case."

Nothing came.

You remember. 21st September was the date.... (*Interruptions.*)

Shri Kapur Singh: It is not factually true. He should not mislead the House. He says, "nothing".

Mr. Speaker: Order, order.

Shri N. C. Chatterjee: Why is my friend pleading Col. Amrik Singh's case?

The next sitting was held on the 4th October. Not a single document comes—neither the relevant original document nor a certified copy of it nor a certified copy of the application he made to the court nor a copy of the alleged order of the Magistrate or judge that the documents are not traceable. Nothing came.

Shri Kapur Singh: You made it impossible for him to produce any document.

Shri N. C. Chatterjee: On that day he did not produce any. But he came. Kindly see page 13.

> "Colonel Amrik Singh produced a photostat copy of some

[Shri N. C. Chatterjee]

typed document alleged to be a copy of a letter dated nil allegedly written by Shri Jit Paul to one Shri D. B. Thapa, Kathmandu (Nepal)."

Shri Maurya: Start prosecution against Jit Paul and you will come to know what the truth is. Then we will come to know of the details.

Mr. Speaker: Order, order.

Shri N. C. Chatterjee: May I point out to you with great respect.... (*Interruptions.*)

Shri Maurya: Criminal proceedings may be started against him, so that we may come to know of the truth.

अध्यक्ष महोदय आप इस बात को ध्यान में रखिए कि आप हम सब के सरपरस्त हैं, आप इस सदन में सर्वश्रेष्ठ हैं,........

अध्यक्ष महोदय : माननीय सदस्य अब बैठ जायें।

श्री मौर्य : मैं आप का हुक्म मान लेता हूं।

Shri N. C. Chatterjee: We have not deviated from law.

Shri Kapur Singh: The hon. Member is exceeding the provisions of rule 271....

Mr. Speaker: Order, order. I have given him latitude. But he should not misuse it. I have been asking him again and again. There ought to be some end to it. I have given him enough time.

Shri Kapur Singh: I am grateful to you for giving me latitude. But you have not given me enough latitude.

Shri N. C. Chaterjee: Section 65 of the Indian Evidence Act says when secondary evidence can be given: you must prove the loss or destruction of the original before you can turn to the secondary evidence I need not waste your time. You know the law. It was laid down by the Privy Council in 1887—I am reading XIV Indian Appeals:

"Held that the loss or destruction of a document not having been proved, secondary evidence was not admissible."

It is there in the Indian Evidence Act. This is also in consonance with the principles of natural justice. No document was there. The existence of the document was not at all proved. He says that somebody gave some documents to a pleader and the pleader vouchsafed. That pleader is dead and gone. We do not know who is that pleader. Anywhy, we do not want to cast any reflection on anybody. (*Interruptions*)

We also gave him another chance. We gave him two months. I have given you the dates. On the 1st September, Col. Amrik Singh was asked to produce the documents. He was given time, but he did not produce. On the 4th October, the Committee directed him to submit those documents which he wanted to file by the 31st October at the latest. Then, he was asked to produce a certified copy of the alleged finding of the district and sessions judge. You will find this at page 13 of the report. No documents were filed and there was nothing of the kind.

The Committee, I submit with respect, therefore, rightly decided that there was absolutely no case which they could decide. That is the foundation of the whole thing. Therefore, they decided that ample opportunity had been given to Col. Amrik Singh and Col. Amrik Singh failed to produce the documents asked for. We gave him opportunity after opportunity. Kindly remember that 1st September was the first date, and we

were saying this on the 3rd of November. Immediately comes a letter from Shri Kapur Singh, saying 'Why are you doing it?' He wanted further examination of Col. Amrik Singh. Further examination for what purpose? We did not know; further examination to prove what? He had been given time after time, week after week, month after month. He was deliberately playing with the committee. He did not produce any document, not even a certified copy, not even a certified copy of his application, not even a certified copy of the order where the district judge had said that the document was not traceable and was gone. There was nothing of the kind.

Therefore, a draft report was placed before the Committee on the 10th November, and the committee adopted the draft report.

Then, the question of minute of dissent was raised. But I shall read out only one page from Campion's book on parliamentary procedure. In committee of privilege or a committee of this character, there is no question of any note of dissent. In England, the position is very clear. I shall read out from Lord Campion's book on parliamentary procedure. At page 251 this is what he has to say:

> Preparation of a draft report for the consideration of the committee is usually left to the chairman. It is, however, open to any member of the committee to submit his draft report for consideration, and if more than one draft is submitted, the first step is to decide which draft shall be taken into consideration....

This will determine the question whether the draft report prepared by A is read. Then, they take the other report and discuss; then they produce their report which is the result of a consensus.

My hon. friend was saying that a judge had got an inherent right to deliver a dissentient judgment, but you know, Sir, that in the Privy Council they do not do it; there are also other judicial committee where they do not do it, because they want the opinion of the committee.

Shrimati Renu Chakravartty: Are we the Privy Council? That is the point.

Shri N. C. Chatterjee: All that I am pointing out is that there is no minute of dissent and there cannot be any minute of dissent. I only want to tell you that Shri Kapur Singh never produced any draft report. He was only pleading that this man should be called again and given a chance, to produce, what, I do not know. There was only some secondary evidence, namely something which was given to some lawyer who is dead or some letter which has been given to somebody in Nepal. What have we got to do with it?

Parliament had asked us to consider this. Shri Madhu Limaye had asked whether this document was there, and whether this document was in existence, and if it was in existence then we must proceed in one way and if it was not in existence then we must proceed against this man and give him condign punishment. That was all that we did. We were satisfied that there was absolutely no document whatsoever; it was a figment of imagination. The whole thing is a manufactured thing. We have him ample time. The sooner this kind of character-assassination stops, the better it would be. The Committee of Privileges should not be used for such purposes.

Shri Frank Anthony (Nominated—Anglo-Indians): On a point of personal explanation.

Mr. Speaker: Only half an hour can be given for the discussion. Now, hon. Members should resume their seats.

Shri Frank Anthony: On a point of personal explanation. There is an allegations; I noticed it only this

[Shri Frank Anthony]

morning; I read it for the first time in the morning. There is an allegation against me. I would like to support Shri N. C. Chatterjee on the facts. But I found one allegation this morning against me at page 70. I had been examining this gentleman at some length, perhaps a little more than the others, and he waited for me to leave the committee to make an absolutely vicious, brazen and false allegation that I had been an adviser, that is, a legal adviser to Aminchand Pyarelal. I do not know this firm from Adam.

Shri N. C. Chatterjee: He said 'at Jabbalpur and Nagpur'.

Shri Frank Anthony: I do not know them today. I have never known them from Adam. Obviously he was a man without any principles and without any scruples and we could not just pin him down to anything, and I was trying to bring out the fact that he was lying. Therefore, he waited till I had left and then brought this utterly vicious and false allegation against me.

Shri Bade (Khargone): May I seek one clarification? Shri N. C. Chatterjee had said that Shri Kapur Singh had not appended any minute of dissent. At page 17 of the report it has been stated:

> "The Committee also decided that in view of the fact that there did not exist any provision in the Rules of Procedure to permit a note of dissent being appended to the Report of the Committee of Privileges, Sardar Kapur Singh's note of dissent should not be appended to the report."

So, how could Shri Kapur Singh have submitted a minute of dissent?

Shri Khadilkar: May I seek one clarification?

श्री मधु लिमये : अध्यक्ष महोदय, यह खूब हुआ। मैं तो शिकायत करने वाला हूं और मुझ को नहीं सुनेंगे? दो मिनट आप सुन लीजिए।

Mr. Speaker: He may kindly finish in two minutes.

श्री मधु लिमये : अध्यक्ष महोदय, मैं ने जब यह शिकायत की तो उस के पहले रेणु चक्रवर्ती और किशन पटनायक के साथ मैं ने आप से बात की और आप का जब हुक्म हुआ तभी इस को पेश किया। इस शिकायत में मैं ने यह कहा था :

> 'Either this document exists or it does not exist. If it is a figment of the letter-writer's imagination, then he is guilty of a very grave contempt of the House. It is for the House and the Privileges Committee to look into the existence or otherwise of this document and haul up Col. Amrik Singh or Mr. Jit Paul, as the case may be, for breach of privilege.'.

अब कमेटी ने पृष्ठ 13 पर दो दस्तावेजों का जिक्र किया है :

> "At the outset, the chairman informed the committee that Col. Amrik Singh had submitted copies of some documents certified by himself as true copies.".

आगे वह कहते हैं :

> "Col. Amrik Singh produced a photostate copy of some typed document alleged to be a copy of a letter dated Nil, allegedly written by Shri Jit Paul to one Shri D. B. Thapa. Khatmandu, Nepal.".

अब अध्यक्ष महोदय, मेरी आप से प्रार्थना है कि यह जो प्रिविलेजेज कमेटी की रपट है वह दो कारणों को लेकर पुनर्विचार के लिए कमेटी के पास भेजी जाय। अब जरा सुनिए। एक कारण यह है कि यह जो दस्तावेज हैं उनको, वह अन्तिम फैसला करने के पूर्व रपट में समाविष्ट करके उस के बारे में अपनी राय दें कि उनकी राय में यह सही नहीं है, वास्तविकता का इसे कोई आधार नहीं है, या बनावटी हैं। एक बात।

दूसरी बात सरदार कपूर सिंह ने जो असहमति पत्र दिया है उसको न छापने से फिर सन्देह के लिए गुंजाइश रह जाएगी। इसलिए मेरी प्रार्थना है कि उन का जो दृष्टि-कोण है, जो असहमति पत्र के द्वारा उन्होंने व्यक्त किया है, वह भी इसमें समाविष्ट किया जाय। कमेटी उस पर भी अपनी राय देकर अपनी जो अन्तिम रपट दें। और अन्त में एक वाक्य मैं कहूंगा। चूंकि नियमों में असहमति पत्र के खिलाफ कोई बात नहीं है, मैं परम्परा की बात कह रहा हूं चौथी जो प्रिविलेज कमेटी क रपट है उस में असहमति पत्र आ चुका है इसलिए कैम्पिन की किताब का यहां कोई मतलब नहीं है। हमारी यह परम्परा बन चुकी है कि चूंकि यह कमेटी न्यायालय की शकल में है इसलिए असहमति पत्र जोड़ा जाय, उस के बारे में कमेटी फिर फैसला ले। इसलिए मैं यह प्रस्ताव रख रहा हूं कि यह रपट कमेटी को रिकमिट किया जाय।

श्री बड़े : अध्यक्ष महोदय, मैं कहना चाहता हूं .... (**व्यवधान**)।

अध्यक्ष महोदय : अब आपने कह दिया जो कहना था। अब मैं सब को तो नहीं बुला सकता।

Shri G. N. Dixit: On this point, I have given notice of a breach of privilege motion against Shri Madhu Limaye, and I may also be permitted to speak because the report is under consideration . . .

Shri Khadilkar: I want two clarifications from you. The first is this. Can a Member of this House, while speaking, act as if he is a counsel for one who has been considered an accused before this House? From my hon. friend's speech it appeared to me that he is acting as counsel of Col. Amrik Singh.

Shri Kapur Singh: I protest against this. It is he who is acting as counsel.

Shri Khadilkar: The second is this. Are there other allegations against him?

Shri Kapur Singh: If the hon. Member wants to be a real counsel, he should look elsewhere.

Shri Khadilkar: For, regarding the antecedents of Col. Amrik Singh I hear that he is wanted in some cases. If this is true, then let those things be placed before this House.

श्री राम सेवक यादव (बाराबंकी): श्री मधु लिमये ने मांग की थी कि उसे सख्त से सख्त सजा दी जाय, उसको कौनसी सजा दी जा रही है? इस तरह से शक पैदा होगा, क्योंकि उसका कोई सजा नहीं दी गई, बल्कि उस को छोड़ दिया गया है।

Shrimati Renu Chakravartty: I think a very important point has come out of this discussion. There is no doubt that we want to get at the truth. Earlier I also had urged and wanted that in principle the right of dissent should be there. But I also feel that Members of Parliament must be very careful about the source from which they get information. We must be very careful to see that the people who give us this information are people whose word we can believe. This is something very important because aftre all, we are bringing up certain very serious allegations. I know that many wrong things take place. I also know that it is very difficult to prove them.

As a matter of fact, the Chair has always insisted that very great details should be provided to you, because you even allowing anything to be said on the floor of the House want to be sure that what is said has a *prima facie* case in it. Therefore, I do agree that we should exercise great care in convincing ourselves about the realiability of the sources of information.

[Shrimati Renu Chakravartty]

As regards the person who has raised this point—I did not know it was this gentleman—he is not a very reliable person.

Shri Frank Anthony: A classic under-statement.

Shrimati Renu Chakravartty: As such, we should also be very careful when material is brought before us to sift it properly before we bring it up before the House.

Mr. Speaker: She was one of the Members who brought this.

Shrimati Renu Chakravartty: I did not know. You must remember what I told you....

Shri Ranga (Chittoor): All that is understood. Why bother?

Mr. Speaker: I do not bother.

Shri Ranga: Let her say what she wants to.

Mr. Speaker: I am not obstructing her.

Shrimati Renu Chakravartty: I think you may be a little sentimental because your name has been dragged into it. But I think we should look at it in a different manner. If Mr. Amrik Singh is this type of man—his past is so obviously shady—in such a situation, we must be careful because you may when I came to you I said these things are being said and as this is a matter dealing with the Chair, I want you to think the pros and cons as if whether to send it to the Privileges Committee, and letting the whole thing to be cleared.

Shri N. C. Chatterjee: Does she know that he had 14 aliases—only 14!

Shrimati Renu Chakravartty: No, I did not. Therefore, I feel that we should go into the matter properly before we bring it up here. We should ascertain and find out the trustworthiness of the source which gives the information.

Shri Hari Vishnu Kamath (Hoshangabad): I agree with my hon. friend, Shrimati Renu Chakravartty, that the issue of minute of dissent should be kept separate.

Shrimati Renu Chakravartty: It is quite a different matter.

Shri Hari Vishnu Kamath: On the other matter, may I ask on a point of information whether the secretariat or any Committee of the House can give us reliable information? I have been given to understand that this Col. Amrik Singh—I do not know how many aliases he has had. . . .

Shri Frank Anthony: 14.

Shri Hari Vishnu Kamath. . . did, once upon a time, some years ago, plant himself, if not foist himself on some accommodation available with a responsible Member of this House.. I do not want to mention the name..

Shri D. C. Sharma: Why not name him?

Shri Hari Vishnu Kamath: And when he was asked to vacate—the Member also wanted him to vacate—he refused to do so and finally he had to be evicted by force. I want to know whether this is correct.

Mr. Speaker: It is correct.

Shri D. C. Sharma: It is being suggested that the Privileges Committee should examine the whole thing again. I want to ask a question. The gentleman on whose letter, on whose evidence, the whole thing is based, has been proved to be unreliable by Shrimati Renu Chakravartty and has been proved to be a person of shady character by Shri H. V. Kamath. If you ask the Committee to re-examine the case, can this unreliable man become reliable? If so, by what law or conception of truth or scruple or morality can he become reliable?

Shri S. M. Banerjee (Kanpur): I

am surprised at the conclusion arrived at by the Committee. They say that this so-called Col. Amrik Singh was unable to produce that document. There is no doubt that the allegation made is a serious one. It does amount to character assassination of many Members of the House. So why has the Committee not recommended a severe punishment for this man? You remember that Shri Karanjia was brought before the Bar of the House and reprimanded. When Shri Ram Sevak Yadav interrupted the hon. President when he was addressing the two Houses assembled together he was reprimanded. If this Amrik Sing has not produced the document, if he is a fictitious character involved in shady deals, how is it that the Committee has simply let him off? What is the recommendation of the Committee? The Committee is very generous to him. They say it is too small a matter and we shall not proceed against him. He should have been brought here and punished severely.

Mr. Speaker: I have to put the Motion to vote.

श्री बागड़ी (हिस्सार) : मेरे तो उस पर दस्तखत हुए हैं, मैं दस्तखती आदमी हूं, इस लिए मुझे भी बोलने दीजिए ।

अध्यक्ष महोदय : सब को नहीं बुलाया जा सकता है ।

श्री बागड़ी : दस्तखत वाले को न बुला कर, बगैर दस्तखत वालों को कैसे बुलाया गया?

अध्यक्ष महोदय : यह नहीं हो सकता ।

Shri G. N. Dixit: I had given notice of a privilege. . . .

Mr. Speaker: Let me proceed now.

The question is:

"That the Eleventh Report of the Committee of Privileges presented to the House on the 30th November, 1966, be taken into consideration".

The motion was adopted.

Shri Krishnamoorthy Rao (Shimoga): I move:

"That this House agrees with the Eleventh Report of the Committee of Privilegs presented to the House on the 30th November, 1966."

श्री मधु लिमये : मैं एक मोशन मूव करना चाहता हूं ।

"That the Eleventh Report of the Committee of Privileges be recommitted to the Committee with the direction that it reconsiders its decision about not including Sardar Kapur Singh's minute of dissent".

Mr. Speaker: Motion moved:

"That the Eleventh Report of the Committee of Privileges be recommitted to the Committee with the direction that it reconsiders its decision about not including Sardar Kapur Singh's minute of dissent".

First I will put Shri Limaye's motion to vote.

The question is:

"That the Eleventh Report of the Committee of Privileges be recommitted to the Committee with the directions that it reconsiders its decision about not including Sardar Kapur Singh's minute of dissent".

The motion was negatived.

Shri D. N. Dixit: I have also one amendment.

Mr. Speaker: The question is:

"That this House agrees with the Eleventh Report of the Committee of Privileges presented to the House on the 30th November, 1966."

The motion was adopted.

14.48 hrs.

RE: QUESTION OF PRIVILEGE

Shri G. N. Dixit (Etawah): Mr. Speaker, when I heard....

Shri S. M. Banerjee (Kanpur): He is really a Rebert Bruce!

Shri G. N. Dixit: When I heard Shri Limaye raise the issue of privilege which is the subject-matter of this Report, I applied for inspection of the writ petition papers, because I do not happen to be a member of this august Committee. I looked into the papers, I inspected them from A to Z. Shri Frank Anthony and Shri Parashar also happened to be there after I had reached there for the inspection. Having looked into the papers from A to Z, through every letter, I was amazed to find neither the Speaker's name nor that of any other Member, nor did I find the name of the firm, Aminchand Payarelal.

But I formed one impression. If hon. Members read this writ petition which is filed in the high Court carefully. I am sure every Member who has not got either some screw loose or is not otherwise deficient, will form the same opinion, that this Amrik Singh is a man who is either mad or is on the way to madness.

I will substantiate from his writ petition that this man appears to be off his head.

Mr. Speaker: Order, order. One thing I must say. This is not fair to say that except those members or that member who has some screw loose. That is not fair, that should not be said. Whoever might differ from us, from another member, or from the House in any extreme, should not be imputed such things. That is not good. That he should withdraw.

Shri G. N. Dixit: I withdraw it. I bow to your ruling.

I am reading para 19 on page 85. What does this man say:

"That after the conviction of the Petitioner on the basis of the evidence produced by the Respondents, fully accepted by all the assessors and the hon'ble Sessions Judge, the Petitioner was sentenced to death' upon the charge of murder and to 7 years plus 6 months rigorous imprisonment on the remaining three charges of attempted murder and suicide . . .

"That the Petitioner's appeal against the above mentioned sentence and the reference made by the Respondents for the confirmation of the 'death sentence' came up before Your Lordships' Division Bench consisting of 3 eminent Judges including the present Chief Justice....before whom the Respondent strongly urged and maintained their ground to convince Your Lordships that the Petitioner was the same person who had committed the alleged foul crimes with the result that the Petitioners' appeal was dismissed, as evident from the judicial records sought to be produced as mentioned above.

"That because the Petitioner had absconded from Police Custody and could not therefore be punished personally, the Respondents caught hold of another citizen, subject to the legal and constitutional protection Your Lordships jurisdiction, Amar Sarup and made him undergo the sentence in spite of his protestations and in spite of . . .

Mr. Speaker: He need not go into it.

Shri G. N. Dixit: I am reading for this purpose to show that this man says that Amar Sarup who was the subject matter of the case was sentenced to death and anged. The hon. High Court has held that this man is not the man who is said to be the subject matter of that case, No. 3 of 1949, pending in the Court of Ambala. This is very relevant because . . .

Mr. Speaker: My request is this.

Shri Hari Vishnu Kamath (Hoshangabad): What is all this about?

Mr. Speaker: He has given notice of a motion of breach of privilege against Mr Limaye, that he has not taken care before hand. First I am going to request Mr. Dixit that he should not pursue this matter.

Some hon. Members: Why not?

Mr. Speaker: Secondly, I am going to appeal to the hon. Members . . .

Shri Kapur Singh (Ludhiana): We do not like the word "appeal" in relation to a member.

Mr. peaker: I am grateful to him, that he has so much concern for me. The thing is this. Really, I just put it to Mr. Limaye, whether he does not think that he has done harm to me. He ought to have made certain enquiries at least, whether there was a document with him or in the records at least. Was it not proper for him?

श्री मधु लिमये (मुंगेर) : यह कभी नहीं कहा आपने । आप मुझ को सुनिए । इस में बहुत सावधानी और संयम के साथ और आप की इजाजत से मैं ने हर एक कदम आगे बढ़ाया है । दो गवाह हैं । श्रीमती रेणु चक्रवर्ती और श्री किशन पटनायक। आप मुझे सुनिए । . . . . व्यवधान ।

अध्यक्ष महोदय : अब यह हाउस फैसला करेगा कि जब माननीय सदस्य मेरे पास लिख कर लाते हैं कि आप के बखिलाफ . . . . .

श्री मधु लिमये : मैं ने हस्ताक्षर तक नहीं किया था विशेषाधिकार के प्रस्ताव पर। आप की इजाजत के बिना मैं ने कोई कदम नहीं उठाया है ।

अध्यक्ष महोदय : उस का भी जिक्र सरदार कपूर सिंह के किया । चार दिन उसके बाद पूर लगेगी । और देर आप ने की । आप ने कहा कि यह डाउटफुल कैरेक्टर . . . .

श्री मधु लिमये : मैं ने सन्देश भेजा ।

अध्यक्ष महोदय : आप ने कहा कि यह डाउटफुल कैरेक्टर का आदमी है ।

श्री मधु लिमये : मैं ने आप को इन्फार्मेशन दी थी । अगर मेरे पास . . . .

अध्यक्ष महोदय : अब आप को जानकारी थी कि वह ऐसा आदमी है . . . . . . (व्यवधान)

श्री मधु लिमये : बाद में मिली ।

अध्यक्ष महोदय : अगर आप को खुद इल्म था कि वह ऐसा आदमी है . . . .

श्री मधु लिमये : पहले नहीं था ।

अध्यक्ष महोदय : आप ने उस चिटठी में लिखा है । आप लाये थे । आप ने प्रोफेसर रंगा से . . . .

श्री मधु लिमये : सारा रेकार्ड देखा कर बोलिए । इस तरह इस तरह से नहीं होना चाहिए . . . .

अध्यक्ष महोदय : तो भी आप को चाहिए था, भले ही आप को कुछ मालूम नहीं था, कि आप देख लें कोई डाकुमेंट है या नहीं ।

श्री मधु लिमये : मैं क्यों दबूं । मेरे पास क्या साधन हैं ।....(व्यवधान) । हाउस में मैं ने नहीं उठाया । मैं आपके पास आया । बहुत जिम्मेदारी से काम लिया है ।

श्री किशन पटनायक (सम्बलपुर) : मुझे एक मिनट कहने दीजिए ।

अध्यक्ष महोदय : मैं आप से बहस नहीं कर रहा हूं । मैं अपना स्टेटमेंट कर रहा हूं कि यह देखिए कि आप मेरे पास लाते हैं कि आप के बखिलाफ 40 हजार लिखा हुआ है एक बही खाते में, एक डाकुमेंट पर । मुझे से यहां कहते हैं कि मैं आप के पास लाया था, मैं हाउस के सामने लाने के लिए नहीं लाया था । तो क्या मैं अपनी तरफ से उस को छिपा सकता हूं । मेरी पोजीशन क्या क्या होती उस वक्त अगर मैं कहता कि मैं इस को हाउस में नहीं लाता । मैं ने उसी वक्त कहा कि आओ चलो, हाउस में पेश करो । श्रीमती रेणु चक्रवर्ती को याद होगा ....

श्री मधु लिमये : आप ने क्या सोचा ।

अध्यक्ष महोदय : श्री मधु लिमये ने कहा कि दो तीन दिन ठहर जाओ । ..... (व्यवधान)

श्री मधु लिमये : यह लिखा हुआ है । इस तरह से गैर जिम्मेदारी से काम नहीं चलेगा ।

अध्यक्ष महोदय : आप बार बार कहते हैं कि लिखा हुआ है । आप ने सर्टिफिकेट उस में लिया, और वह भी यह कि उस ने चिटठी मुझे भेजी है ।

श्री मधु लिमये : और मैं क्या कर सकता हूं ।

अध्यक्ष महोदय यह सर्टिफिकेट जो लिया वह भी गलत । उस के बाद मेरे पास भेजी गई बिना सैंटिस्फाई ....

श्री मधु लिमये : मैं ने किया है ।

अध्यक्ष महोदय : आप को सैंटिस्फाई होना चाहिए था आया कोई चिट्ठी है या नहीं है । उन का यह काम था मालूम करना कि मेरे पास भेजी गई है या नहीं । मुझे इस बात का बड़ा अफसोस है कि वह समझते हैं कि उन को जो करना था वह उन्होंने कर लिया । यह बात ठीक नहीं है । मैं नहीं चाहता कि इस बात को लम्बा किया जाये । .... (व्यवधान) इस साइड से प्रेशर है कि मैं जरूर करूं ।

श्री मधु लिमये : हां, आप इसको कीजिए ।

Shri G. N. Dixit: May I say that I have got the greatest regard for your person? You have adorned the Chair and you have given respect to this Chair. You are an impartial man and a man of integrity. Therefore, it is not a question of not going by your appeal. There is only one condition. If Mr. Limaye tenders an unqualified apology to you and to this House.... (*Interruptions*)...... because I feel that it is the grossest contempt of this House, the grossest contempt that has ever been committed in any Parliament has been committed by Mr. Limaye:

श्री बागड़ी : अध्यक्ष महोदय, यह क्या हो रहा है । क्या यह व्यवस्था का सवाल है ।

अध्यक्ष महोदय : अब आप बैठ जाइये । ..... (व्यवधान) मुझे उन को सुनने दीजिए । ....(व्यवधान)

Members should not get out of control.

श्री रायलाल व्यास : (उज्जैन) : यह हमारे लिए बोलते हैं कि चुप रहें। क्या इस तरह से यह बोल सकते हैं । उन के ऊपर आपको ऐक्शन लेना चाहिए । हमेशा यह इस तरह से कहते रहते हैं ।

श्री गौरे (अलीगढ़): हमें गाली दे रहे हैं।

एक माननीय सदस्य: क्या गाली दे रहे हैं?

श्री गहमरी (गाजीपुर): क्या आप लोग जो चाहें कहते रहें, हम कुछ न कहें आप को। क्या आप को हक है कि मंत्र को आप गाली देते रहें।

15 hrs.

श्री राधेलाल व्यास: चुप रहो, ऐसा इन्होंने कहा है —

अध्यक्ष महोदय: अब आप बैठ जायें।

श्री राधेलाल व्यास: मैं तो बैठ जाऊंगा। लेकिन यह हाउस का अपमान है। इस तरह से किसी मैम्बर को दूसरे मैम्बर को नहीं कहना चाहिए। क्या आप इसको एलाऊ करते हैं? इस तरह से जो मैम्बर कहता है क्या उसके खिलाफ आप एकशन लेने के लिए तैयार हैं। इस तरह से हाउस की प्रोसीडिंग्ज चलनी चाहियें जिससे हाउस की इज्जत बढ़े। इस तरह से जब कहा जाता है तो हाउस की इज्जत खतरे में पड़ जाती है। इस तरह से नहीं चल सकता है। एक मैम्बर दूसरे मैम्बर को ललकार इस तरह से, क्या इसको आप एलाऊ करते हैं? अगर एलाऊ करते हैं तो यह बड़े आश्चर्य की बात है।

Shri M. L. Dwivedi (Hanurpur): He should be asked to withdraw it.

Mr. Speaker: Mr. Vyas should not be so sensitive. These are objectionable words but they had been used so many times; particularly on this occasion it is not fair to ask me to take action on this occasion. This has been said many a time from this side as well as that side. I agree that it should not be said in this manner.

Shri G. N. Dixit: Sir, I want to draw your attention to some facts which will show that what Mr. Madhu Limaye did was an intentional act to malign you; it was not something which he was doing to Mr. Amrik Singh. The judgment of the High Court in which this document was, it is said, referred to was passed on 26-7-1965. It is exactly after one year that a letter of Mr. Amrik Singh is addressed to you and acknowledged by you on the 4th August 1966. On the morrow, the letter of Mr. Madhu Limaye is dated the 5th August 1966. You are the best person to tell us when you received it. From the letters printed in this report, I find the letter is dated the 4th and Mr. Madhu Limaye's letter is dated the 5th August, on the morrow. Obviously and clearly there appears to be, from the circumstantial evidence, enough to warrant that there was a conspiracy between Amrik Singh and Mr. Limaye and it was Mr. Madhu Limaye who originated this idea...... (*Interruptions.*).

श्री किशन पटनायक: इस तरह के आरोप आप एलाऊ करते हैं।

श्री मधु लिमये: पाटिल साहब की तरह भागूंगा नहीं। एक एक का जवाब दूंगा।

Shri G. N. Dixit: I cannot conceive, not only in this House but in any House in the world whatever democracy prevails, such an imputation casting reflection on the Speaker or that a Member will rush to the Speaker to raise a privilege issue, and he did it not because he wanted to raise in against Amrik Singh. Because Amrik Singh, came to him and authenticated that letter there was no reason that he should at once rush to the House and waste the time of the House by saying he wanted to punish Amrik Singh. As I have told you, I do not know which Members have met Amrik Singh or who had not met him. At least from the perusal of

[Shri G. N. Dixit]

papers, I think he must have met Shri Madhu Limaye. Knowing full well that that letter was not going against Amrik Singh but that it was going against the integrity of the Speaker and therefore against the integrity of this august House of this country, he raised the issue in this House and the whole world got publicity. According to me, the crime rests in the publicity. The crime does not rest merely in sending a private letter to a private person.

The action of Mr. Limaye to publicise this letter which has sent to you is the main offence which was committed against this august House. It is a contempt and also a breach of privilege. In numerable cases are reported in May's Parliamentary practice holding that reflections on the character of the Speaker had been treated to be the grossest breach of privilege. I will quote from the Commons Debates which arose in 1911. One member wrote a letter to another member; it was a private letter; so long as it was a private letter, it was something which was not known to anybody but the Member sent it to the Press and it was printed and it was censured by the whole House. Two hon. Members who were involved in that case tendered an unqualified apology. Bringing it to the House is a clever manner of publising the thing. I think placing before the House is worse than sending it to the Press. The Prime Minister of England, Mr. Asquith, who was moving this motion said:

> "In these circumstances we cannot help feeling that perhaps we have not got to deal with the writing of the letter for the actual breach of the privilege of this House was committed by publication and not by the sending of a private communication by one person to another."

Mr. Amrik Singh sent you a letter. It was not important. What was important was that Mr. Limaye brought that letter before the House and got it published. He has done what he wanted. In view of these findings of the committee that such a letter has not existed and that Mr. Limaye has abused his power and position as a Member of this House, I move that Mr. Limaye be censured and he should be expelled for the rest of the term.

Shrimati Renu Chakravartty (Barrackpore): Is it not breach of privilege? Why has he added expulsion now?

Mr. Speaker: That has nothing to do with the previous motion. We are not concerned; it is irrelevant.

श्री मधु लिमये : अध्यक्ष महोदय, मैं दोनों पर बोलूंगा । इन्होंने एक्सपल्सन का सुझाव दिया है —

अध्यक्ष महोदय : सिर्फ ब्रीच आफ प्रिवलेज इस वक्त हमारे सामने है ।

श्री हुकम चन्द कछवाय (देवास) अध्यक्ष महोदय, जो मेरा मोशन है, उसका क्या होगा । मुझे आप स्टार्ट कर लेने दीजिए और फिर आप चाहें तो बहस को कल तक के के लिए स्थगित रख सकते हैं । यह बहुत महत्व की चर्चा है । मैंने बहुत परिश्रम इस पर किया है । इसको शुरू कर दें । और फिर कल तक स्थगित कर दें तो मुझे कोई आपत्ति नहीं है । परन्तु शुरू तो हो जाए ।

अध्यक्ष महोदय : मुझे मालूम नहीं कि लीडर आफ दी हाउस क्या चाहते हैं । जो आप चाहें मुझे कोई एतराज नहीं है ।

श्री हुकम चन्द कछवाय : चालू करवा दें ।

अध्यक्ष महोदय : कौनसी चीज स्टार्ट करवा दूं ।

श्री हुकम चन्द कछवाय : जो मेरा प्रस्ताव है 7 नवम्बर की घटनाओं के सम्बन्ध में, वह ।

अध्यक्ष महोदय : मैं बाद में माननीय सदस्य को मौका दूंगा ।

Shri G. N. Dixit: I am moving this motion under rule 225. (*Interruption*).

Mr. Speaker: He has given me notice of motion on breach of privilege.

श्री मधु लिमये : अध्यक्ष महोदय, अभी श्री दीक्षित ने मुझ पर कई गम्भीर आरोप लगाए हैं —षड्यन्त्र, जान-बूझ कर किसी की बदनामी करना और न जाने कितने दुनिया भर के आरोप उन्होंने मेरे खिलाफ लगाए हैं ।

जहां तक विशेषाधिकार के भंग का सवाल है, मैं आप से निवेदन करना चाहता हूं कि जब यह शख्स मेरे पास आया, तो वह पहली बार आया था । मैं उस को पहले कभी भी नहीं मिला था । जब उसने इस तरह की बातें मेरे सामने रखीं और यह भी कहा कि उसने आप को एक चिट्ठी लिखी है, तो पहले तो मुझे सन्देह हुआ कि उस ने यह चिट्ठी लिखी है या नहीं और क्या यह वह जान-बूझ फंसाना चाहता है । इस तरह के कई लोग अभी भी हैं । आज मैं बहुत गम्भीरता के साथ यह निवेदन करना चाहता हूं कि पाकिस्तान के हाई कमिश्नर के द्वारा लिखे हुए एक पत्र की फ़ोटोस्टेट कापी मेरे पास भेजी गई, जिस में ऐसा-ऐसा मसाला था, जिस में मैं फंस जाऊं । मैं कोई आरोप नहीं लगा रहा हूं, लेकिन चूंकि इधर कई महीनों से मैं ने सरकार की भ्रष्टाचारी नीति का भंडाफोड़ किया है, इसलिए उस तरफ के कई लोग ऐसे हैं, जो सोचते हैं कि मुझे किसी तरह, किसी बात में फंसाया जाये । इस लिए आज पाकिस्तान के हाई कमिश्नर की चिट्ठी का मैंने उल्लेख किया है । मुझे सन्देह है—अभी भी सन्देह है—कि यह बनावटी है, इस लिए मैंने न उस को प्रकाशित किया और न उस का सदन में उल्लेख किया । इस तरह के कई दस्तावेज मेरे पास आते हैं, लेकिन मैं हमेशा बहुत ही संयम और जिम्मेदारी के साथ काम करता हूं ।

जब यह पत्र आया, तो मैंने आप को इस के बारे में लिखित इत्तिला दी, लेकिन मैं ने यहां तक एहतियात लिया था सावधानी बरती थी, कि मैं ने उस वक्त इस पर हस्ताक्षर भी नहीं किया था । मैं श्रीमती रेणु चक्रवर्ती और श्री किशन पटनायक को ले कर आप के पास आया । यह बात सही है कि आप ने कहा कि चूंकि यह आप का व्यक्तिगत मामला है, इस लिए मैं उस को तुरन्त उठाऊं । लेकिन मैं ने कहा—और उस पत्र के अन्त में यह लिखा भी है ।

"However, this being a very grave and important question, I would not like to mention it in the House till I have had an opportunity of discussing the matter with you personally."

उस के बाद भी चार पांच दिन तक मैंने इस के बारे में कोई पहल नहीं की । जब आप के द्वारा मुझे सन्देश मिला कि इस मामले को उठाना चाहिए, ताकि सत्य का पता चले और आप के ऊपर कोई कलंक न रहे, तो आप के कहने पर, आप की इजाजत से, मैंने इस मसले को उठाया । मैं प्रिविलेज के कई मसले आप के पास भेजता हूं । इस सत्र में भी मैं ने तीन चार मसले आप के पास भेजे थे, जिन को उठाने की आप ने इजाजत नहीं दी । पिछले सत्र में कई मसले मैं ने आप की इजाजत से उठाए । श्री एस० के० पाटिल

[श्री मधु लिमये]

के बारे में मेरा एक प्रिविलेज का प्रस्ताव था। आप के साथ कई बार इस की चर्चा हुई। चूंकि आप ने उस की इजाज़त नहीं दी, इस लिए मैं ने उस को नहीं उठा सका।

जब मेरा पहला पत्र आप के पास गया, जिस पर हस्ताक्षर नहीं था और मैं श्रीमती रेणु चक्रवर्ती और श्री किशन पटनायक को को ले कर आप के पास आया था, तो उस के बाद मैं ने कर्नल अमरीक सिंह के बारे में ज्यादा जानकारी हासिल करने की कोशिश की। स्टेट्समैन का जो कटिंग मुझे डा० अणे से मिला था, वह मैंने तुरन्त आप के पास भेज दिया। इतना ही नहीं, मैंने भी सदन में भी कहा था कि डा० अणे से मैं ने सुना है कि प्रोफेसर रंगा को कर्नल अमरीक सिंह के बारे में बहुत बुरा तजुर्बा है, इस लिए आप उन से भी जानकारी प्राप्त कीजिए।

इतना सब करने के बाद मैंने यह प्रस्ताव यहां पर रखा और उस में मैं ने मांग की—भाषण में भी मैं ने मांग की—कि इस आदमी को गिरफ्तार कर के सदन के सामने लाया जाए। आज भी मेरी यही इच्छा थी और इसीलिए मैंने जो रीकमिटल का प्रस्ताव भेजा, उस में मैं ने कहा कि जिन दस्तावेजों की वह बात करता है, आखिरकार उनके बारे में कैसे पता चलेगा, इस लिए उन को समाविष्ट कर के प्रिविलेजिज कमेटी अपनी राय दे कि वे सही हैं या गलत और प्रिविलेजिज कमेटी की जो राय होगी, उस को सदन मानेगा। अभी भी एक दस्तावेज का जिक्र किया गया है, वह शायद उन्हीं में से एक है, जिन की चर्चा की जाती है। उस दस्तावेज की सत्यता की जांच करने के लिए मेरे पास कोई खुफिया विभाग तो नहीं है। मैं इन बातों के बारे में कैसे जानकारी रख सकता हूं? मैं तो इतना ही कर सकता हूं कि मैं ज्यादा से ज्यादा संयम सावधानी और धीरज के साथ इस के बारे में पहल करूं।

मैंने यह भी कहा था कि कर्नल अमरीक सिंह को गिरफ्तार करके लाया जाये। आज भी इस सदन के पास यह अधिकार है कि इस लोक सभा की जो मियाद है, कम से कम उस के खत्म होने तक उस व्यक्ति को जेल में रखा जाये। विशेषाधिकार समिति और इस सदन ने उस अधिकार का इस्तेमाल नहीं किया।

जहां तक जीतपाल आदि लोगों का सवाल है, पब्लिक एकाउन्ट्स कमेटी के कई रपट आए हैं, तरह तरह की बातें इन कम्पनियों के बारे में आती हैं। आखिरकार उस सब के बारे में हम लोगों को कैसे पता चलेगा। मैं आप को दो मिसालें देता हूं कि कैसे पालियामेंट के मैम्बरों को फंसाया जाता है। मेरे पास मधुसूदन गोवर्धन दास के कुछ कागज पड़े हैं, जिन में उन्होंने गलत जानकारी दे कर मैम्बर्ज को गुमराह करने की कोशिश की थी। मैं ने एक गवाह को पास बिठाया और उस के बारे में जांच की। एक मैम्बर मधुसूदन गोवर्धन दास से धोका खा चुके हैं। उन्होंने श्री चनद को एक चिट्ठी लिखी, जिस में उन्होंने कहा कि इम्पोर्ट लाइसेंसिज में जो परिवर्तन किये गये थे, उन में से कुछ परिवर्तन तो बिना अधिकार के थे, लेकिन कुछ परिवर्तन साधिकार, अधिकार के साथ, थे। इस तरह की चिट्ठी लिखने के लिए उस मैम्बर को कहा गया, जिनके बारे में मैं ने कहा है कि वह धोका खा चुके हैं। ज्यादा जांच के बाद मुझे पता चला कि इन सब 54 मिलों के इम्पोर्ट लाइसेंसिज में परिवर्तन बिना अधिकार के किया गया है।

मैंने कई दफा आप का ध्यान इस तरफ खींचा है कि इस दिल्ली शहर में बड़े-बड़े पूंजीपतियों और कम्पनियों की तरफ़ से तरह-तरह के लोग कन्ट्रैक्टमैन का काम करते हैं। अच्छा बुरा, सभी किस्म का काम होता है।

आखिरकार सदस्यों का कोई फ़र्ज़ होता है, जनता के प्रति उन की वफ़ादारी होती है। जितनी आवश्यक जानकारी हासिल की जा सकती है, वह मैं हमेशा हासिल करता हूं और सवाल के सब पहलुओं का अध्ययन किये बिना किसी भी मसले को नहीं उठाता हूं।

विशेषाधिकार के प्रश्न के बारे में पूरी जिम्मेदारी आप की है। आप ने कई दफ़ा विशेषाधिकार का प्रश्न नहीं उठाने दिया। कई बार प्रश्न उठाने के बाद आप ने उस को नामन्जूर किया है। कभी-कभी आप के निर्णय से हम सहमत भी नहीं हुए हैं, जैसा कि श्री सुब्रह्मण्यम् के बारे में हुआ।

माननीय सदस्य ने हाउस आफ़ कामन्स का जिक्र किया। जब कोई बात उन के हक़ में होती है, तो वह हाउस आफ़ कामन्स का जिक्र करते हैं। हाउस आफ़ कामन्स में जब प्राफ़ूमो साहब ने, जो युद्ध मंत्री थे, अपने व्यक्तिगत स्पष्टीकरण में असत्य बातें कह दीं--"अनट्रू वर्ड्ज़," नाट "डीलिबरटली अनट्रू वर्ड्ज", आप ने व्याख्या की है कि "जान-बूझ कर असत्य भाषण" . . . .

अध्यक्ष महोदय : आप "नाट डीलिबरैटली अनट्रू वर्ड्ज" क्यों कहते हैं।

श्री मधु लिमये : आप ने "डीलिबेट-ली" कहा है।

अध्यक्ष महोदय : वहां भी वही है।

श्री मधु लिमये : वह नहीं है।

अध्यक्ष महोदय : वहां पर प्रोफ्यूमो के उस लड़की से ताल्लुक के बारे में प्रोफ्यूमो को ही मालूम हो सकता था।

श्री मधु लिमये : मै ने हाउस आफ कामन्स के जर्नल में पढ़ा है कि प्रोफ्यूमो को इसलिए सज़ा दी गई कि उस ने असत्य शब्दों का इस्तेमाल किया और खुद टोरी पार्टी के नेता ने अपने मिनिस्टर के खिलाफ वह प्रस्ताव रखा। लेकिन आप के निर्णय के बारे में मुझे कुछ नहीं कहना है।

श्री दीक्षित को मेरा यही जवाब है कि उन्होंने मेरे खिलफ़ जो आरोप लगाए हैं, वे सरासर ग़लत हैं। जैसा कि मैं ने उस वक्त भी कहा था, सत्य को स्थापित करने और इस सदन की और आप की प्रतिष्ठा बनाये रखने के लिए ही मैं ये सब मामले उठाता हूं —मंत्रियों के बारे में भी। मैंने आप को चिट्ठी लिखी थी कि मैं ने श्री मनुभाई शाह और श्री शचीन्द्र चौधरी के खिलाफ जो आरोप लगाए हैं, मैं किसी भी कमेटी के सामने, लोक सभा की कमेटी के सामने, उन को साबित करने के लिए तैयार हूं। अगर मैं उनको साबित नहीं करता हूं, तो आप मुझे जो दण्ड देना चाहें, वह दीजिए, लेकिन अगर वह कमेटी कहती है कि मधु लिमये के आरोप सही हैं, तो फिर आप मंत्री महोदयों को क्या दण्ड देंगे ?

इस बारे में आप ने जो भी फैसला करना है, आप कीजिए। मुझे कोई एतराज नहीं है।

अध्यक्ष महोदय : इसमें बहस करने की तो मेरे खयाल से जरूरत नहीं है। इस में बहस नहीं चलती है। इस को खत्म करना चाहिए।

श्री मौर्य : कर्नल अमरीक को गिरफ्तार किया जाय (**व्यवधान**)

अध्यक्ष महोदय : जब यहां हाउस ने अप्रूव किया उस कमेटी की रिपोर्ट को तो मैं कैसे गिफ्तार कर सकता हूं। . . . . (**व्यवधान**) आर्डर, आर्डर। अब सवाल सिर्फ इस वक्त यह है मिस्टर दीक्षित का जो मोशन है जिस का नोटिस दिया था उन्होंने वह सिर्फ यह है कि श्री मधु लिमये साहब ने यह बीच

[अध्यक्ष महोदय]

आफ प्रिविलेज किया है, सिर्फ इतना सवाल है मुझे इस सारे मामले में बहुत अजीब सी हालत से गुजरना पड़ा है क्योंकि यह मेरे संबंध में है इसलिए मैंने कहा था दीक्षित साहब को कि इसको यहीं फेंक दें, रहने दें, इस से कोई फायदा नहीं ....

कई माननीय सदस्य : नो, नो ।

अध्यक्ष महोदय : मगर एक बात मैं इस के साथ जरूर कहना चाहता हूं कि मधु लिमये साहब ने अपनी सफाई बहुत जोर से दी, सब चीज की वह एहतियात करते हैं मगर मेरा उन से कहना है कि क्या यह काफी था उन का सर्टिफिकेट कि मैंने हुकम सिंह को लिख दिया है ? उनको यह देखना चाहिए था जो चिट्ठी कहते हैं कि वह है भी या यों ही उसे कह रहे हैं ? वह जो कहा था कि वह चिट्ठी वहां पड़ी है .... (**व्यवधान**) मैं सलाह अपने लिए देता ?....
(**व्यवधान**) ....

श्री बागड़ी : उस वक्त नहीं था तो अब कैसे हो गया (**व्यवधान**)

श्री राम सेवक यादव (बाराबंकी) : चार दिन तक क्यों पड़ा रहा ?

अध्यक्ष महोदय : बड़ा अफसोस है मुझे मधु लिमये साहब इस का जवाब दें कि चार दिन क्यों पड़ा रहा ? यह क्या मेरा कसूर था ? मुझे कहा जा रहा है कि चार दिन तक क्यों पड़ा रहा ? ...(**व्यवधान**) मुझे बड़ा अफसोस है, एक तरफ तो मधु लिमये सहाब ने खुद कहा

श्री मधु लिमये : मैं ने कहा कि जल्दबाजी नहीं करनी चाहिए ।

श्री राम सेवक यादव : इसी लिए जब आपने जल्दबाजी नहीं की तो इन को क्यों ...
(**व्यवधान**)

Shri Tyagi (Dehra Dun): I move for closure.

Shri Sheo Narain: Please put it to vote.

श्री मधु लिमये : अगर आप समझते हैं कि आर्डर में है तो दे दीजिए इसको कमेटी के पास ।

अध्यक्ष महोदय : मैंने कहा था कि अगर हाउस इस से एग्री करे तो इसे छोड़ दिया जाए ।

कई माननीय सदस्य : नो, नो ।

श्री गहमरी : माननीय स्पीकर साहब, मुझे कुछ कहना है ।

अध्यक्ष महोदय : नहीं इस पर बहस नहीं हो सकती ।

श्री गहमरी : आज भी अगर यह कहते हैं कि गलती हो गई, हम अब इस बात को महसूस करते हैं और माफी मांगते हैं तो छोड़ दिया जाय । .... (**व्यवधान**) ....

अध्यक्ष महोदय : तो अगर इस पर जोर देते हैं कि हाउस के सामने रखें तो मैं इसे वोट पर रखता हूं ।

श्री मधु लिमये : अध्यक्ष महोदय, आप क्यों नहीं भेज देते हैं ? आप को अधिकार है इस में ।

श्री स० मो० बनर्जी : वोट पर रखने से पहले एक मेरा निवेदन सुन लीजिए ।

Mr. Speaker: I am going to put to the House the motion of Mr. Dixit that Mr. Madhu Limaye has committed a breach of privilege in this respect.

Shri S. M. Banerjee: We want a written motion, Sir.

श्री मधु लिमये : लेकिन ग्राप खुद क्यों नहीं भेज देते ?

Mr. Speaker: It is here. I will read it. This is dated 1st December.

> "I give you notice under Rule 223 that I propose to raise a question of privilege tomorrow on 2nd December, 1966 against Shri Madhu Limaye, a member of the House, for maliciously publicising baseless and false imputations against the Hon. Speaker, in the guise of raising an issue of privilege against Col. Amrik Singh, but essentially intending to maligan the Hon. Speaker with a view to intimidate him.".

श्री मधु लिमये : ग्राप खुद क्यों नहीं भेज देते ? ..... (**व्यवधान**) ग्राप क्यों बोल हैं ? मैंने कहा है कि ग्राप भेज दीजिए । मैं डरपोक नहीं हूं । मैं तो कह रहा हूं कि ग्राप भेज दीजिए ।

Shrimati Renu Chakravartty: I have already said that we should never bring up something about which we are not completely satisfied that it is true. We have to ensure that the source is reliable, though ultimately we pray not be able to prove everything, conclusively as it has happened in the past in some cases. (*Interruptions*). You remember, Sir, both Mr. Limaye and myself went to see you because it was a serious matter. We discussed it with you. Can it be said that it was done with a malicious intent? It may be a mistake; I admit it. I was the first to admit it on the floor of the House in front of everybody. But I cannot understand how it can be said that it was done with malicious intent.

Shri S. M. Banerjee: On a point of order, Sir. This motion cannot be put before the House under the rules.

Shri Surendranath Dwivedy (Kendrapara): What is the actual proposal you want to put before the House, Sir?

Mr. Speaker: The notice is that Mr. Madhu Limaye has committed a breach of privilege and by bringing that motion against Col. Amrik Singh, he intended to impute motives against the Speaker and question the integrity of the Speaker.

Shri Hari Vishnu Kamath: What is being put to the House, Sir? Is it that leave should be granted or not?

Mr. Speaker: Yes. It is for asking for the leave of the House.

Shri Hari Vishnu Kamath: That means, you have given your consent.

Mr. Speaker: Yes.

Shri Hari Vishnu Kamath: In that case I submit that rule 225 has not been fully complied with. I perfectly agree with you that members should exercise discretion and care while bringing up matters before the House. But here we are up against a fundamental, a basic issue. The motion he has made goes beyond the scope of what he wrote to you. It is something fantastic, objectionable and irrelevant.

He has given notice under rule 223. Then rule 224 comes into operation, Then comes rule 225 which says:

> "(1) The Speaker, if he gives consent under rule 222 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned, who shall rise in his place and, while asking for leave to raise the question of privilege, make a short statement relevant thereto:
>
> Provided that where the Speaker has refused his consent under rule 222 or is of opinion that the matter proposed to be discussed is not in order, he

[Shri Hari Vishnu Kamath]

may, if he thinks it necessary, read the notice of question of privilege and state that he refuses consent or holds that the notice of question of privilege is not in order".

Apparently, Sir, you have given your consent to the motion. You read out the motion saying that he has committed a breach of privilege. Then what happens? Under 225(2), if objection to leave being granted is taken......We said 'no', which means that objection is taken. Before that, there is one proviso which says:

"Provided further that the Speaker may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any time during the course of a sitting after the disposal of question."

Sub-clause (2) says:

"If objection to leave being granted is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places..."

Now, Sir, the motion that he moved is not what is being put to the House by you. He moved something and you are putting to the House something which is different. I do not know if it is in order.

Shrimati Renu Chakravartty: Please read from the records.

Mr. Speaker: At once I said that those words that have been said at the end were not relevant. I have said that.

Shri Hari Vishnu Kamath: With the greatest respect, Sir, may I ask whether it is open to you—I know you have all the powers, you have the residuary powers and even otherwise you have powers—to put to the House a motion that is different from a motion which an hon. Member, who has given notice of it, moves in the House?

Mr. Speaker: The motion moved is the one of which he gave notice, though in his speech he has said certain words that were not relevant at all. That had no bearing on the motion at all.

Shrimati Renu Chakravartty: He has moved his motion. The rule says clearly that he has to move the motion and after that say a few words. What is it that he has moved? Kindly read the records.

Shri Hari Vishnu Kamath: That he be expelled from the House.

Shri G. N. Dixit: What I said in my speech was that that is the punishment which should be awarded to him. But I moved for consent of the House to move a motion of breach of privilege against Shri Madhu Limaye because he has committed a breach of privilege by bringing in this issue of privilege in the matter of Col. Amrik Singh.

Shri S. M. Banerjee: Sir, I rise on a point of order under rule 223. If I have heard Shri Dixit correctly, he delivered a good speech on a privilege motion said to be before the House. He never moved any such motion. Whatever he said was irrelevant and you were pleased to declare the latter portion of his speech as irrelevant. May I invite your kind attention to Rule 224 which says:

"The right to raise a question of privilege shall be governed by the following conditions, namely:—

(i) not more than one question shall be raised at the same sitting;

(ii) the question shall be restricted to a specific matter of recent occurrence;"

May I remind you, Sir, that the privilege motion given notice of by Shri Daji was not admitted by you because you considered, in your wisdom, that it was not a matter of recent occurrence. When Shri Daji, I remember, said, that he may be late by five minutes because the House was not sitting, you said that even five minutes would matter.

Mr. Speaker: I never said that even if it is five minutes late I would not accept.

Shri S. M. Banerjee: You might have said '5 days'.

Shri Vasudevan Nair (Ambalapuzha): Sir, I rise to a point of order. It is already 3.30. We have to take up the Private Members' Business.

Mr. Speaker: That does not matter. It is for the House to decide. If the House wants it can take up the Private Members' Business. I have no objection. If the House wants to dispose of this and then take up the Private Members' Business....

श्री शिव नारायण : अध्यक्ष महोदय, मेरा प्रस्ताव है कि पहले इसको खत्म किया जाय, उसके बाद प्राइवेट मेम्बर्स बिल को लें ।

Shri Vasudevan Nair: Private Members' Business cannot be shelved.

Mr. Speaker: We have many a time taken it up later. We will take it up after half-an-hour.

Shri Hari Vishnu Kamath: That means the House will sit for half-an-hour more.

श्री प्रकाशवीर शास्त्री (बिजनौर) : अध्यक्ष महोदय, मेरा प्रस्ताव है कि साढ़े तीन बजे से जो निजी कार्य शुरू होने वाला था, उसको साढ़े चार बजे से लिया जाय और इस तरह से इस के लिए एक घंटा और बढ़ा दिया जाय ।

Shrimati Renu Chakravartty: Sir, when will Private Members' Bills be taken up? There are two items. One is the discussion on the incidents of 7th November and the other is Private Members' Bills. If you say that that discussion will be taken up, then the Private Members' Bills will be pushed out.

Mr. Speaker: I have said that he will take one minute to move his motion and then we will take up Private Members' Bills.

श्री प्रकाशवीर शास्त्री : एक घन्टा यदि बढ़ा दिया जाय तो आधा घन्टा इसको मिल जायगा और आधा घन्टा उसको मिल जायगा तथा साढ़े चार बजे से निजी कार्य शुरू किया जाय ।

Mr. Speaker: Is the House in favour of taking up Private Members' Business at 4.30?

Several hon. Members: Yes.

Shri S. M. Banerjee: Sir, this is not a specific matter of recent occurrence. Shri Limaye raised a privilege motion on the basis of a photostat copy of a letter which was given to him. Shri Dixit was there in the House. If he thought that it was wrong and Shri Limaye was using certain documents to malign somebody's character, including yourself, Sir, he should have raised some sort of a motion or opposed that motion on that ground. Therefore, I feel that this motion which is said to have been moved by Shri Dixit should not be accepted by the House as a motion, because whatever he has said is quite contrary to what you have placed before this House.

Another point is, the entire thing has been based on a document......

Mr. Speaker: I have understood his point of order, that it is not a matter of recent occurrence.

Shri S. M. Banerjee: Sir, you said that Shri Madhu Limaye also should have verified the document. I only want to mention two cases.

Mr. Speaker: That cannot be a point of order.

Shri S. M. Banerjee: The whole argument is based on this document.

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): Let the Privilege Committee decide.

Shri S. M. Banerjee: Sir, I think Shri Naskar should speak in a more responsible way.

Mr. Speaker: But time should not be spent in this discussion like this.

Shri S. M. Banerjee: Sir, kindly hear me. I am only saying that when myself and Shri Daji wanted to place a document, which was supposed to be the audit report on Ruby Insurance and Jupiter Insurance Government had the original of it. Then the CBI Report, on the intervention of Shri Sinhasan Singh, was placed on the Table. Even today, those reports, one by Shri Kamath and another by Shri Daji and myself are there. They are not verified. So, if you really say that such documents should be verified, it will be difficult. I agree that it should be verified.

Mr. Speaker: What is his point of order?

Shri S. M. Banerjee: My point of order is that the motion of Shri Dixit is irrelevant.

श्री मौर्य : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है ।

अध्यक्ष महोदय : मैं नहीं सुन सकता । श्री हुमायून कबिर ।

श्री मौर्य : मेरा व्यवस्था का प्रश्न आपके खिलाफ है । मैं आपके ऊपर कटाक्ष कर रहा हूं । ।

अध्यक्ष महोदय : मैंने श्री हुमायून कबिर को बुलाया है ।

श्री मौर्य : मैं आप पर कटाक्ष कर रहा हूं । आप मेरे बुजुर्ग हैं, विद्वान हैं, आपके लिये मुझ में इज्जत है, लेकिन मेरा व्यवस्था का प्रश्न है । आप व्यवस्था के प्रश्न को सुन लीजिये ।

अध्यक्ष महोदय : मैं कहता हूं कि मैंने पहले उनको बुलाया है ।

श्री मौर्य : मेरा व्यवस्था का प्रश्न है । मेरी दर्ख्वास्त है कि इसको बन्द किया जाये । आपको सदन के नेता से पुछने की आवश्यकता नहीं थी । आपको स्वयं अधिकार है कि प्रिविलेज इश्यू को स्वीकार करें या न करें । मैं यह व्यवस्था उठा रहा हूं ।

Shri Humayun Kabir (Basirhat): Sir, I want only one minute of your indulgence, and I do not wish at all to intervene in this matter.

Shri C. K. Bhattacharyya (Raiganj): But you are intervening.

Mr. Speaker: That is because I have asked him. That is all right.

Shri Humayun Kabir: After considering the whole matter, you were pleased to say a little while ago that this has been discussed for a long time, and you had desired at one stage that the curtain may be dropped. Now, there is a privilege motion, no doubt, which has referred to intention or malice. Sir, you know better than anyone else in this House, that malice is one of the things which it is very difficult to prove but, on the contrary, whenever the issue of malice is raised, it leads to all kinds of acrimonious debate. This Parliament is coming to an end very soon. Sir, you in your wisdom have appealed to the House that this matter has been sufficiently ventilated, too many things have been said which, perhaps, should not have been said, on both sides of the House tempers have arisen, passions have played a role which, perhaps......

Shri C. K. Bhattacharyya: Not on this side.

Shri Humayun Kabir: I do not wish to provoke anybody. I would appeal to the hon. Members that I am not speaking in passion. I do not want to provoke anybody. I do not know why one hon. Member is trying to discover in my statement something which is not there. I would again appeal to the House that out of deference to your wishes, the whole House should accept the request which you have made and bring to a close the unseemly discussion which does not do any credit to any section of the House.

Mr. Speaker: Has the Leader of the House anything to say in the matter?

The Leader of the House (Shri Satya Narayan Sinha): I came to the House just now. I do not know what happened earlier.

Mr. Speaker: I have made an appeal twice that because it concerns me personally, I do not want to proceed with it personally and so that it may be dropped. The Leader of the House might consider it. Then, I will take the decision. Now, we will take up the motion by Shri Kachavaiyya.

Shri Hari Vishnu Kamath: Sir, I would only request you to ensure that what happened yesterday, which was very unusual, does not happen today also. Yesterday, the Chairman, ruled twice that the debate on the Goa Opinion Poll Bill would be taken up today. So, those who had given notice of amendments left the House, left the Chamber and went home under the impression that it would be taken up today. That decision was later changed and the record shows that it was taken up at 7.20 p.m. I only want to ensure that the same thing does not happen today also. The full time of 2 hours or 2½ hours should be allotted for this discussion, and if it is not completed today, it should be taken up tomorrow morning, not later tonight, which will be very unfair to us. It is wrong to do such things.

Mr. Speaker: I will see. I have understood him. Now, Shri Kachhavaiyya.

Shri Sheo Narain: Now, what is the decision about the motion of Shri Dixit?

Mr. Speaker: I have asked the Leader of the House for his views. After hearing him, I will take it up at some other time.

15.45 hrs.

MOTIONS *RE*: INCIDENTS IN NEW DELHI ON 7TH NOVEMBER, 1966 AND *RE*: BANNING COW SLAUGHTER

श्री हुक्म चन्द कछवाय (देवास) अध्यक्ष महोदय, मैं प्रस्ताव करता हूं :

> "कि यह सभा 7 नवम्बर, 1966 को नई दिल्ली में हुई घटनाओं के बारे में 9 नवम्बर, 1966 को गृह-कार्य राज्य मंत्री दवारा दिये गये वक्तव्य पर विचार करती है।"

7 नवम्बर को संदद भवन के सामने जो प्रदर्शन हुआ और उसमें जो घटनायें हुई और 9 नवम्बर को राज्य मंत्री द्वारा दिये गये वक्तव्य से जो स्थिति उत्पन्न हुई उसके सम्बन्ध में मैं कहना चाहता हूं . . (व्यवधान) कि देश के अन्दर यह भावना है कि गोवध देश के लिए बड़ा कलंक है। इस भावना को लेकर तथा उसको व्यक्त करने के लिये सारे देश से लोग यहां आये कि जो गोवध होता है यह देश के लिये कलंक है। उनके अन्दर यह भावना कुछ महीने पूर्व से ही चल रही थी, परन्तु इस प्रदर्शन . . . .

श्री प्रकाशवीर शास्त्री (बिजनौर) : अध्यक्ष महोदय, मेरा प्वाइंट आफ़ आर्डर है ट्रेजरी बेंचेज पर एक ऐसे माननीय

[श्री प्रकाशवीर शास्त्री]

मेम्बर बैठे हुए हैं जो शायद मिनिस्टर नहीं हैं। मैं जानना चाहता हूं कि क्या उनको मिनिस्टर बना दिया गया है।

अध्यक्ष महोदय : शायद वह आ रहे हैं।

श्री हुकम चन्द कछवाय : इस प्रदर्शन को किस प्रकार से फेल किया जाय इसकी योजना बहुत दिन पहले से बन रही थी। मैं ऐसे तथ्य रक्खूंगा जिससे यह साबित होगा कि आज यह बात बिल्कुल हमारे सामने आ गई है कि कांग्रेस के अन्दर जो आपसी झगड़ा चल रहा है उसके कारण से देश की गरीब जनता किस प्रकार से पीसी जा रही है, और 7 नवम्बर को जो घटनायें हुई यह झगड़ा ही उसका मूल कारण है।

केन्द्र में दो गुट हैं। एक नन्दा जी का गुट और एक दूसरा एल० पी० सिंह का है। इन दोनों गुटों में मतभेद होने के कारण यह दशा सामने आई है। एल० पी० सिंह को जो सपोर्ट थी वह प्रधान मंत्री की थी और उनकी सपोर्ट के कारण गृह मंत्री महोदय और उनमें आपस में बनती नहीं थी। गृह मंत्री ने कई बार उनको शिकायत भी की, लेकिन इस चर्चा में इस समय नहीं आना चाहता।

अध्यक्ष महोदय : आपको एहतियात से चलना होगा। जिस तरह से बात शुरू हुई है, आप ऐसे मामलों में आयेंगे जो यहां नहीं कह जा सकते ।

श्री हुकम चन्द कछवाय : मैं आपको विश्वास दिलाता हूं कि मैं तथ्य रक्खूंगा।

अध्यक्ष महोदय : तथ्य की चीजों को कहने में जो आप इल्जाम लगाते जायेंगे, वह ठीक नहीं है।

श्री हुकम चन्द कछवाय : इल्जाम की बात नहीं है, जो समाचारपत्रों में आया है उसको तो मैं कह सकता हूं।

अध्यक्ष महोदय : क्या इसके लिये आप तैयार होंगे कि वह सारे इल्जाम आपके ऊपर डालेंगे। इससे कोई फायदा नहीं होगा। आप इसमें सेक्रेटरी को ला रहे हैं।

एक माननीय सदस्य : नन्दा जी ने प्राइम मिनिस्टर को लिखा है।

अध्यक्ष महोदय : नन्दा जी ने लिखा होगा, लेकिन एल० पी० सिंह और प्राइम मिनिस्टर से क्या वास्ता है।

श्री हुकम चन्द कछवाय : मैं कहना चाहता हूं कि इस प्रदर्शन को फेल करने के लिये किस ढंग से योजना बनी है। 2 नवम्बर को पश्चिम बंगाल के चौबिस परगना जिले के एक उच्च अधिकारी दवारा कुछ कर्मचारी साथ में लाये गये और उनके यहां आने के बाद डी० एस० पी० और एस० पी० क्राइम्स दोनों ने बैठकर योजना बनाई। इस योजना के अन्दर 5 नवम्बर को 62 गुंडे और कुछ विरोधी तत्वों को बंगाल से बुलाया गया। मैं एक बात कहना चाहता हूं कि 5 नवम्बर को यह गुंडे रेल द्वारा बंगाल से बुलाये गये और उसके बाद 6 नवम्बर को सुबह 272 गुंडे दिल्ली के पकड़ लिये गये। मैं सरकार से एक ही जानकारी चाहता हूं कि यह जो 272 गुंडे पकड़े गये उन में से केवल 80 गुंडे रक्खे गये और बाकी छोड़ क्यों दिये गये। ये अस्सी गुंडे और 62 गुंडे बंगाल से जो बुलाये गये थे, दोनों मिलाकर 142 होते हैं। और उनकी योजना बनी। आप यह भी देखें कि उस रोज, सात तारीख के रोज दिल्ली के कितने पुलिस वाले छुट्टी पर थे, कितने पुलिस वालों को छुट्टी दी गई। मैं कहना चाहता हूं कि इतनी ज्यादा तादाद में भविष्य में कभी भी इतने कांस्टेबल्ज को छुट्टी नहीं दी गई थी

सरकार हाजरी का जो रजिस्टर होना है उसको निकाल कर देख सकती है. . . .

अध्यक्ष महोदय : भविष्य में कभी नहीं दी गई ।

श्री हुकम चन्द कछवाय : मेरा कहने का मतलब यह था कि पहले कभी नहीं दी गई। पिछले दिनों में कभी नहीं दी गई और मैं यहां तक कहने को तैयार हूं कि भविष्य में भी शायद न दी जाए। मैं चाहता हूं कि केन्द्रीय सरकार इस बात की खोज करें कि कितने लोग उस रोज छुट्टी पर थे। क्यों ये छुट्टी पर थे, इसका कारण क्या था? जब इसका पता लगाया जाएगा तो जो तथ्य हैं वे आपके सामने आ जायेंगे। उनको यह बताया गया कि उनको सात तारीख को जो प्रदर्शन होने वाला है उसमें रहना है।

15.5 hrs.

[SHRIMATI RENU CHAKRAVARTTY *in the Chair*]

ये जो गुंडे बुलाये गये थे और जो दूसरे लोग छांटे गए थे, अस्सी गुंडे दिल्ली के थे इसमें कुछ पुलिसमेन थे। पार्लियामेंट थाना जो है यहां उनकी दावत हुई थी, यहां उनकी रिहर्सल कराई गई थी और उनको यह बताया गया था कि इस प्रदर्शन को किस तरह से वे असफल करें, किस प्रकार से तोड़फोड़ करेंगे। इसके अलावा इन लोगों में से एक एक को 150 रुपये दिये गये थे और उनसे कहा गया था कि ये रुपये अपने पास रखो। बहुत से पुलिस वालों को यह लालच भी दिया गया था कि तुम्हारी तरक्की की जाएगी, तुम्हारा प्रोमोशन किया जाएगा, हर बात में तुम्हारी हिफाजत की जाएगी लेकिन तुम्हारा काम यह है कि तुम्हें इस कार्य को बिल्कुल ईमानदारी से करना है। इतना ही नहीं उन लोगों से कुरान, गीता और रामायण वगैरह की सौगंध दिलाई गई थी और रिहर्सल करवाई गई थी कि सात तारीख वाले प्रदर्शन को उनको किस प्रकार बिगाड़ना है।

जो आपसी झगड़े थे उस चक्कर में मैं इस वक्त पड़ना नहीं चाहता हूं। उसकी चर्चा मैं आगे करूंगा। परन्तु यह सब काम योजनाबद्ध रूप में किया गया। मैं आपको उदाहरण देना चाहता हूं, प्रमाण देना चाहता हूं इसका क्योंकि मैं उस समय आकाशवाणी भवन पर मौजूद था जबकि आकाशवाणी भवन की जो इनक्वायरी है, जो इनक्वायरी दफतर है उसको आग लगाई गई थी। आग लगाने में यह जो कांस्टेबल मरा और जो सादे कपड़ों में था, वह भी सामिल था। स्वयं उसने आग लगाई। उसको गलती से गोली लग गई और वह मर गया। मैं इसका प्रमाण दे सकता हूं। सरकार इनक्वायरी बिठवाये और इसके अलावा और भी बहुत से तथ्य सरकार के सामने आ जायेंगे। पता नहीं सरकार इनक्वायरी बिठाने से क्यों डरती है।

बाहर से जो इतनी ज्यादा संख्या में लोग बुलाये गये थे वे इसलिए बुलाये गये थे कि योजनाबद्ध रूप से जो काम है उसको किया जाए। भीड़ को हटाने के लिए जब गोली चलाई गई तो उसके पहले सूचना इसकी देनी जरूरी होती है। लेकिन कोई सूचना नहीं दी गई। मैं यह सब इस आधार पर कह रहा हूं कि प्रारम्भ से लेकर अन्त तक जब कर्फ्यू लगा मैं उसी स्थान पर मौजूद था। मेरे साथ हमारे सदन के एक और माननीय सदस्य श्री नाथपाई भी मौजूद थे। वह बहुत बड़े लीडर हैं। आप यह भी बतायें कि कितने राउंड आपने चलाये और कितने गैस के गोले छोड़े। मैं आपको बतलाना चाहता हूं कि 379 राउंड गोली चलाई गई तथा 754 आंसू गैस के गोले छोड़े गए थे उस रोज। मैंने स्वयं उस पुलिस वाले की लाश को उठा कर ट्रक में रखा (इंटरप्शंस)

Mr. Chairman: Let there be no such emotions. Let the hon. Member speak. I will give an opportunity to other Members to refute the points being made by him.

Shri A. P. Sharma (Buxar): He should be told that he is addressing in the House and not in the street.

Mr. Chairman: That is known to everybody. It is not necessary for me to point that out. Apart from that, please remember that we have very little time. He will be allowed only 15 minutes. So, you should allow him to continue. I will allow opportunity to others also to speak.

Shri K. K. Verma (Sultanpur): On a point of order.

Mr. Chairman: Let him proceed. I will permit everybody whose name is put down here.

श्री हुकम चन्द कछवाय : मैं आप को यह भी बतलाना चाहता हूं कि दिल्ली के अन्दर बंगाल से उन लोगों को भी लाया गया जोकि पाकिस्तान की जासूसी करते थे। जिन लोगों को ऐरेस्ट किया गया था उनको भी लाया गया। मैं जानना चाहता हूं कि सात तारीख को जो फायारिंग किया गया और उस फायरिंग में लोग मरे, उनकी संख्या कितनी थी, कितने लोग मरे। सरकार उनकी ठीक ठीक संख्या बताने से आनाकानी क्यों कर रही है। मैं आरोप लगाना चाहता हूं कि जानबूझ कर इसको सरकार छिपा रही है। मैं कहना चाहता हूं कि 122 लोग मरे हैं। मैं पूछता हूं कि इन 122 लोगों की लाशें कहां हैं। मैं इस का प्रमाण देने के लिये तैयार हूं कि 122 लोग मरे हैं और जो लाशें थी उनको बदरपुर में ले जाकर जो यहां से ग्यारह बारह मील दूर है जला दिया गया, वहां उन लाशों को गड्ढों में गाड़ दिया गया। क्या सरकार इस की खोज करने के लिये तैयार है? मैं यह भी जानना चाहता हूं कि उस रोज कितना पैंट्रोल, पैंट्रोल स्टेशंज से लिया गया था, उसको भी बताया जाए। कितना पैंट्रोल उन लोगों को जलाने में इस्तेमाल हुआ, इसको भी आप देखें। जब जांच होगी तो ये सारे तथ्य सामने आयेंगे। कितना पैंट्रोल गाड़ियों की टंकियों में डलवाया गया था, जैरीकेंज में डलवाया गया था, ये सब तथ्य हमारे सामने आने चाहिये। मैं आपसे यह भी पूछना चाहता हूं कि जोधपुर के श्री झूमरलाल आसोपा जोकि उस फायरिंग में मरे थे उनकी लाश कहां है। डाक्टरों के लिख कर देने पर भी उसकी लाश उसके लड़के को क्यों नहीं लौटायी गई? डाक्टर के हाथ का लिखा हुआ है फिर भी आप उनकी लाश देने के लिये क्यों नहीं तैयार हुए? मैं आप से जानना चाहता हूं कि कहां है उनकी लाश? मैं पूछना चाहता हूं कि वह व्यक्ति कहां है जिसका नाम सतीस कुमार जैन है जिस की टांग में गोली लगी थी, उसको मैंने अपने हाथ से उठा कर गाड़ी में रखा था। वह काली पैंट पहने हुए था। अठारह वर्ष का वह लड़का था। मैंने उससे उसका नाम पूछा तो उसने अपना नाम बताया। जब मैंने उससे उसका पता पूछा तो उसने कहा, मान्यवर, मैं आप से प्रार्थना करता हूं कि मेरा पता यह है और मेरे घरवालों को मेरे बारे में खबर कर दो; मैंने पुलिस वालों को कहा कि खबर कर दो लेकिन वे ऐसा नहीं कर रहे हैं। मैं अस्पताल में भरती हूं। मेरे घरवालों को खबर कर दो कि मुझे वे देखने के लिये आयें। बाद में वह मर गया। मैं पूछता हूं कि उस व्यक्ति की लाश कहां है? उसकी मां का यह पोस्टर लिखा हुआ है। इस में उसकी फोटो भी दी गई है। इसकी लाश कहां है, मैं आप से पूछता हूं। यह कैसी राक्षसी सरकार बनी है जोकि लोगों की लाशें तक खा जाती है। उसकी मां तड़प रही है उसके लिये। आप जानते हैं कि इस लड़के का

बाप क्या था ? इस लड़के का बाप 1942 के आन्दोलन में, कांग्रेस ने जो आन्दोलन चलाया था, जेल में गया था। काफी बार उसने जेल काटी है। ऐसे व्यक्ति के लड़के को आपने मारा है जिसका बाप अंग्रेजों से सदा लड़ता रहा है, जो आपने आन्दोलन शुरु किये थे, उनमें भाग लेता रहा है। उसकी लाश तक आपने नहीं लौटायी है। क्या कभी प्रजातंत्र में ऐसा होता है ? कौन सा प्रजातंत्र का यह तमाशा है ? क्या इस तरह का प्रजातंत्र आप देश में स्थापित करना चाहते हैं ?

सारे झगड़े का कारण क्या है ? इसका एक मात्र प्रमुख कारण यह है कि क्या आम चुनाव काराये जायें या न कराये जायें । श्री कामराज चाहते हैं कि आम चुनाव होने चाहियें, श्रीमती इंदिरा गांधी चाहती हैं, नहीं होने चाहिए, श्री अतुल्य घोष चाहते हैं नहीं होने चाहियें, श्री डी० पी० मिश्र चाहते हैं नहीं होने चाहियें । इस वास्ते जो कहता है कि होने चाहियें उस को मिटा दो, उस को खत्म कर दो । ये सब जो तथ्य हैं ये तभी सामने आ सकते हैं जबकि इनक्वायरी कराई जाए ।

एक और दर्दनाक घटना मैं आपको बतलाना चाहता हूं । उन्नीस व्यक्तियों को चोटें लगी थीं, उन्नीस व्यक्ति इस तरह जो घायल हुये थे, उन्हें ट्रक के अन्दर उन्हें गाड़ी के अन्दर बिठा कर ले जाया गया और उनका गला घोंटकर उनको मार दिया गया। क्या इसी तरह से यह सरकार प्रजातंत्र को चलायेगी ? इसी प्रकार से क्या यह सरकार चुनाव लड़ेगी? इसी प्रकार से कार्रवाई करेगी ? इसी प्रकार शासन चलायेगी ? यह ठीक नहीं है ।

एक और बड़ी बात मैं कहना चाहता हूं । आपने बड़े बड़े महारथियों को गिरफ्तार किया है । ऐसा करने के पीछे आपका एक विशेष हेतु है । प्रभुदत्त ब्रह्मचारी जी को भी आपने गिरफ्तार किया है । उनको भी एक विशेष कारण से गिरफ्तार किया गया है । हमारे आदरणीय भूतपूर्व प्रधान मंत्री श्री जवाहरलाल नेहरू के खिलाफ उन्होंने चुनाव लड़ा था । सरकार और शासन के मन में इस को लेकर एक प्रकार का रोष था । सरकार चाहती है कि प्रधान मंत्री के खिलाफ कोई भी देश में चुनाव न लड़ सके । इसी बात को बतलाने के लिये उनको जेल में डाला गया है और किसी व्यक्ति को उन से मिलने भी नहीं दिया जाता । कोई व्यक्ति उनसे मिल नहीं सकता है । किस किस प्रकार से उन को यातनायें दी जा रही हैं, इसकी भी आप इनक्वायरी करेंगे तो सारे जो तथ्य हैं वे आपके सामने आयेंगे ।

अब आप यह भी देखें कि सत्याग्रहियों के साथ किस प्रकार का व्यवहार किया जा रहा है । हजरत बाल चोरी चला गया था । सरकार ने तब घोषणा की थी कि जो हजरत बाल को ढूंढ़ निकालेगा उसे एक लाख रुपया दिया जायगा । केन्द्र के बड़े बड़े उच्चाधिकारी उस की खोज करने के लिये वहां पहुंचे । उस घटना के परिणामस्वरूप कितना दंगा-फिसाद हुआ और न जाने कितने हिन्दुओं को विवश हो कर पाकिस्तान से यहां आना पड़ा । जहां एक धर्म के लोगों की भावनाओं का इतना ख्याल रखा जाता है, वहां हिन्दू धर्म का अपमान किया जाता है । हम ने देखा है कि श्री शंकराचार्य की गद्दी पर कोई भी व्यक्ति बैठ सकते हैं, उनका अपमान किया जाता है, उन के साथ बुरा व्यवहार किया जाता है, धार्मिक स्थान पर जूतों सहित जा सकते हैं । क्या यह सब हिन्दू धर्म का अपमान नहीं है ? दोनों धर्मों को बराबर माना जाना चाहिए, लेकिन सरकार एक धर्म के साथ पक्षपात करती है और दूसरे की उपेक्षा करती है ।

[श्री हुकम चन्द कछवाय]

15.45 hrs.

केन्द्रीय संसदीय कार्यसमिति द्वारा सर्व सम्मति से यह प्रस्ताव पास किया गया कि देश में गो बध बन्द किया जाये। मैं पूछना चाहता हूं कि शासन ने उस प्रस्ताव को क्यों ठुकराया है। उसको इसलिये ठुकराया गया, क्योंकि केन्द्रीय संसदीय कार्यसमिति और सरकार के पारस्परिक सम्बन्ध अच्छे नहीं हैं और उनके बीच ठीक ताल-मेल नहीं है। केन्द्रीय संसदीय कार्यसमिति में जो नाना प्रकार के मतभेद हैं, उनके कारण यह सब गड़बड़ हो रही है।

हमारे नये गृह-मंत्री बड़े स्वाभिमान के साथ कहते हैं कि मैं महाराष्ट्र से आया हूं, शिवाजी बन कर आया हूं।

एक माननीय सदस्य : कब कहा है?

श्री हुकम चन्द कछवाय : माननीय सदस्य पता नहीं कौनसी दुनिया में सोते हैं? अगर वह समाचार पढ़ें, तो उनको मालूम होगा।

शिवाजी ने तो एक गाय काटने वाले व्यक्ति का हाथ काट दिया था, लेकिन यह जो दूसरे शिवाजी आये हैं, उनके मातहत गायें तो कट ही रही हैं, परन्तु गाय को बचाने की मांग करने वालों को भी काटना प्रारम्भ कर दिया गया है। भगवे कपड़े पहने हुए जो साधू जगह-जगह से आते हैं, उनको पकड़ लिया जाता है। हैदराबाद से आने वाले कुछ साधुओं को रास्ते में ही पकड़ लिया गया।

अन्त में मैं यह कहना चाहता हूं कि 7 नवम्बर की घटनाओं के बारे में न्यायिक जांच कराई जाये। मैं ने जो प्रश्न उठाये हैं और तथ्य रखे हैं, सरकार उनका उत्तर दे। विशेषरूप से पेट्रोल वाली बात की खोज करके उसका उत्तर दिया जाये।

Mr. Chairman: Items 22 and 23 are to be discussed together. This seems to be a novel procedure that has been adopted. So, I would request Shri Prakash Vir Shastri to take 10 minutes.

Dr. L. M. Singhvi (Jodhpur): Before that, the motion has to be moved formally and the amendments moved.

Mr. Chairman: Motion moved:

> "That this House takes note of the statement made by the Minister of State for Home Affairs on the 9th November, 1966, regarding certain incidents in New Delhi on the 7th November, 1966."

The hon. Members who would like to move their amendments may kindly send their amendment Nos. to the Table.

Now, Shri Prakash Vir Shastri. He should finish in 10 minutes.

श्री प्रकाशवीर शास्त्री : मूवर को आधा घंटा दिया जाता है। आप श्री कछवाय और मेरे समय को मिला कर आधा घंटा कर दीजिए। मुझे पंद्रह मिनट मिलने चाहिएं। वैसे, मैं जल्दी समाप्त करने का यत्न करूंगा।

Mr. Chairman: Then, there will be no other speeches at all. Others must also have a chance. Otherwise, it will be only a one-sided affair. You can understand my difficulty. Both the items are to be discussed together. So, he should try to finish in 10 minutes.

श्री प्रकाशवीर शास्त्री : सभापति महोदय, भारतवर्ष में गाय के प्रति आस्था वैदिक काल से चली आ रही है। वेदों में गाय के सम्बन्ध में ये शब्द लिखे हुए हैं: "माता रुद्राण दुहिता वसूनां वसा आदित्यानाम्" हमने प्रारम्भ से ही गाय के सम्बन्ध में वे पवित्र सम्बन्ध रखे हैं, जो पुत्र और माता, भाई और बहिन और पिता और पुत्री में होते हैं।

जब से इस देश में गाय की हत्या प्रारम्भ हुई, उसी समय से उसकी हत्या को बन्द कराने के लिए आन्दोलन भी प्रारम्भ हुआ। मैं बहुत लम्बे-चौड़े उदाहरण न देते हुए मुगल-काल का केवल एक ही उदाहरण

देना चाहता हूं। बाबर के अपने हाथ से लिखा हुआ वसीयतनाम भोपाल की लाइब्रेरी में सुरक्षित है। उसमें बाबर ने अपने पुत्र हुमायूं, को कहा कि अगर हिन्दुस्तान में देर तक हुकूमत करनी है, तो ये दो काम कभी न करना, एक तो गाय की हत्या न होने देना और दूसरे, हिन्दू धर्म-मन्दिरों का विनाश न करना। इससे पता चलता है कि मुगल-काल में भी मुगल शासक इस बात के लिए कितने सतर्क रहते थे कि गाय का वध न हो और उसकी रक्षा की यथेष्ठ व्यवस्था हो।

ब्रिटिश काल में भी समय समय पर इस प्रकार के आन्दोलन चले। अमृतसर का कूका आन्दोलन एक बहुत बड़ी ऐतिहासिक घटना है, जिस में सद्गुरु रामसिंह का बलिदान हुआ। 1857 का क्रान्ति के पीछे जो कारण थे, उन में से एक यह था कि उस समय बन्दूकों के लिए जो गोली दी गई, उस में गाय की चरबी इस्तेमाल होती थी, जिस से हिन्दु सिपाहियों की भावनायें उमड़ीं और उस से प्रभावित हो कर 1857 की क्रान्ति की चिंगारियां जगह जगह फैल गईं।

1857 की क्रान्ति के बाद जब राजस्थान के पोलीटिकल एजेन्ट, कर्नल ब्रुक्स, राजस्थान से विदा हो कर जाने लगे, तो स्वामी दयानन्द सरस्वती ने भरी सभा में कर्नल ब्रुक्स को कहा कि महारानी विक्टोरिया को जा कर कहना कि अगर गो-हत्या का कलंक इस देश में से जल्दी न मिटा, तो इस देश में 1857 की पुनरावृत्ति फिर भी हो सकती है। उस के बाद स्वामी जी ने इस सम्बन्ध में लगभग दो करोड़ हस्ताक्षर करा कर 1883 के करीब ब्रिटिश पार्लियामेंट को भेजने का प्रयत्न किया, लेकिन उन का जीवनलीला बीच में ही रह जाने से उन का वह उद्देश्य पूरा न हो सका।

इसी तरह गाय के प्रश्न को ले कर 1892 में बलिया में एक क्रान्ति हुई, जिसको देखने के लिए ब्रिटिश पार्लियामेंट से एक डैलीगेशन आया। उस के बाद गाय के प्रश्न को ले कर 1917 में एक बड़ा आन्दोलन हुआ, जब कटारपुर में एक केस हुआ।

मैं इस संसद् के माध्यम से यह सारा इतिहास सरकार को इस लिए बता रहा हूं कि कहीं यह समझ लिया जाये कि गाय की हत्या को बन्द कराने का आन्दोलन कोई नया है। इस आन्दोलन को सब से अधिक बल उस समय मिला, जब महात्मा गांधी ने इस आन्दोलन को अपने हाथों में लिया और इस आन्दोलन में मुसलमानों को सम्मिलित करने के लिए उन्होंने खिलाफ़त आन्दोलन का साथ दिया किया। मेरे हाथ में यह 1924 की छपी हुई पुस्तक है, जिस में लिखा हुआ है कि खिलाफ़त आन्दोलन के सम्बन्ध में जब किसी ने गांधीजी से पूछा कि विदेशों के आन्दोलन से हमारा क्या मतलब और आप तिलक स्वराज्य फंड का हमारा पैसा खिलाफ़त आन्दोलन में क्यों लगा रहे हैं? तो गांधीजी ने उत्तर दिया कि मैं मुहम्मद अली और शौकत अली की खिलाफ़त मैया का इस लिए साथ दे रहा हूं, जिस से वे मेरी गाय मैया को बचायें।

जिस समय हमारे देश में विभाजन की मांग बल पकड़ रही थी, तो मुस्लिम लीग से यह पूछा गया कि क्या वह किसी शर्त पर विभाजन की मांग छोड़ सकती है। महादेव देसाई ने अपनी डायरी में यह घटना लिखी है कि मि० जिन्ना की ओर से जो तेरह शर्तें गांधीजी के पास आईं, इनमें से एक शर्त यह थी कि आज़ाद हिन्दुस्तान में मुसलमानों को गौकुशी की खुली छूट रहेगी। महादेव देसाई लिखते हैं कि गांधीजी ने यह कह कर उन शर्तों का पर्चा वापस कर दिया कि मैं गाय की गर्दन पर छुरी रख कर

[श्री प्रकाशवीर शास्त्री]

हिन्दुस्तान की आजादी नहीं लेना चाहता हूं।

मैंने यह पृष्ठ भूमि इसलिये बताई है, ताकि गाय की रक्षा के आन्दोलन को नया न माना जाये। लोकमान्य बालगंगाधर तिलक के पराधीन भारत में ये शब्द थे कि गाय के प्रश्न को लेकर हिन्दू ज्यादा जोश में न आयें, जिस दिन देश स्वतन्त्र होगा, उसी दिन एक कलम से गो-हत्या को रोक दिया जायेगा और भारतवर्ष में पहला कानून जो बनेगा, वह गोवध-बन्दी का होगा।

बीस वर्ष की निरन्तर इन्तजार के बाद जब इस देश में इस प्रकार की स्थिति नहीं आई, तब राजनीतिक दलों से ऊपर उठे हुये कुछ सन्तों ने, जिनमें जगदगुरु शंकराचार्य, जैन मुनि सुशील कुमार और प्रभुदत्त ब्रह्मचारी आदि व्यक्ति सम्मिलित हैं, इस आन्दोलन को अपने हाथ में लिया।

हमारे देश में गोहत्या से कितना बड़ा ह्रास होता हुआ चला जा रहा है, मैं उसका कुछ मामूली सा उदाहरण आपको देना चाहता हूं। 1940 में इस देश में गाय का दूध 7517 हजार टन होता था और सरकारी आंकड़ों के हिसाब से 1961 में गाय का दूध हो रहा है 8538 हजार टन, यानी इन तीस सालों में गाय का दूध केवल एक हजार टन ही बढ़ पाया है। इससे ही अनुमान लगा लिया जाये कि इस देश में गोधन का कितना बड़ा ह्रास हो चुका है।

जहां तक संख्या की दृष्टि से गोवंश की हानि का संबंध है, 1951 में इस देश में 1553 लाख गायें थीं, जबकि 1961 में यह संख्या 1755 लाख है, यानी इस अवधि में गोवंश की वृद्धि केवल मात्र 12 प्रतिशत हुई है, जबकि दुनिया का रिकार्ड देखने से पता लगता है कि इसमें 30 प्रतिशत की वृद्धि अवश्य होनी चाहिये थी।

उसका दुष्परिणाम यह है कि हमारे देश में आज सब मिलकर गाय, भैंस, बकरी वगैरह का जो दूध होता है उसमें पर कैपिटा खपत का सब मिलाकर है 4.9 औंस। लगभग 2 छटांक दूध प्रति व्यक्ति के हिस्से में आता है। लेकिन गाय का दूध तो इससे भी कम है। वह 3.28 ग्राम आ करके पड़ता है। इससे आप अन्दाज लगाइये कि हमारे देश में गोवंश का कितना ह्रास हुआ है जिसका दुष्परिणाम यह है कि आज खेती का यह हाल है कि ट्रैक्टर लगाने के लिये पैसा किसान के पास नहीं है और इतनी जमीन किसान के पास नहीं है कि वह ट्रैक्टर चलाये। पचास-पचास साठ-साठ बीघे खेत में कहां वह ट्रैक्टर चलायेगा और बैलों की जोड़ी इतनी महंगी हो गई है कि पन्द्रह-पन्द्रह सौ, दो-दो हजार रुपये में बैलों की एक जोड़ी आ रही है। आर्थिक दृष्टि से एक ओर सरकार कह रही है कि हम अन्न का उत्पादन बढ़ायें और दूसरी ओर इस प्रकार की दुरवस्था होती जा रही है। ऐसा सरकार को लाभ क्या है जिसके आकर्षण में आकर सरकार गो-हत्या को चालू रखना चाहती है? सरकार ने अभी एक प्रश्न के उत्तर में बताया कि 65-66 में जो विदेशों को गाय का मांस भेजा गया वह कितना था। सरकार उत्तर देती है कि 65-66 में 325 लाख रुपये का यानि 3 करोड़ 25 लाख रुपये का गोमांस विदेशों को भेजा गया। अगर इसी हिसाब से हम आंकड़े लगायें तो पिछले 20 वर्षों में 65 करोड़ के आंकड़े गोमांस के विदेशों में भेजने के आते हैं।

गांधी के देश के लिये आज इससे बड़ी लज्जा और शर्म की बात दूसरी नहीं हो सकती। इसी तरह से खालों के चक्कर में आकर के हमारे देश से लगभग 250 करोड़ रुपये की खाल गायों की विदेशों को भेजी गई। इस विदेशी मुद्रा के चक्कर में आकर के सरकार किस तरह से हमारे देश में गोवंश

का ह्रास जानबूझकर करती जा रही है उसी को मैंने कुछ प्रमुख आंकड़े दिये हैं।

एक और बात में कहना चाहता हूं। प्रधान मंत्री ने अभी राज्य सभा में एक भाषण देते हुये कहा कि समझ में नहीं आता कि गोहत्या बन्द करने का आन्दोलन चुनावों से पहले क्यों उठाया जाता है ? मैं पूछना चाहता हूं कि चुनावों से पहले अगर केवल विरोधी दल के लोगों ने यह आन्दोलन उठाया होता तो कहा जा सकता था कि चुनावों को प्रभावित करने के लिये उठाया लेकिन कोई देखे चल कर जगद्गुरु शंकराचार्य को कौन सा चुनाव लड़ना है, जैनमुनि सुशील कुमार जी को कौनसा चुनाव लड़ना है ? आचार्य विनोबा भावे को कौन सा चुनाव लड़ना है ? जयप्रकाश नारायण को कौनसा चुनाव लड़ना है, जो यह कह करके इस आन्दोलन की पवित्रता को नष्ट किया जाता है कि चुनावों से पहले इस अन्दोलन को छेड़ा गया है ? इसके अतिरिक्त अगर इसके दूसरे पक्ष को देखा जाय तो क्या जनता आप लोगों से यह पूछ सकती है हमने सुना है, पुराणों में एक इस प्रकार के नदी की चर्चा आती है, वैतरणी नदी पार करने के लिये गाय की पूछ पकड़ कर उसे पार करते हैं, आज तक मैंने देखा नहीं वैतरणी नदी कहां है लेकिन यह सरकार जो है, सत्तारूढ़ दल जो है वह हर चुनाव के अन्दर गाय के बच्चों की, बैलों की पूंछ पकड़ करके चुनाव की वैतरणी नदी को पार करती है। तो यह चुनाव में अनुचित लाभ उठा रहे हैं या यह लोग अनुचित लाभ उठा रहे हैं जो चुनाव से कोसों दूर रहना चाहते हैं ?

एक बात बड़ी विचित्र कही जाती है कि अगर हम गोवध को बन्द कर दें तो उसका दुष्परिणाम यह होगा कि सूखी गायों और बूढ़े बैलों का भार देश पर आकर पड़ेगा। मेरे पास विस्तृत समय नहीं है कि जिससे मैं विस्तार से समझाऊं लेकिन मेरा अपना एक सुझाव है। गांधीजी के एक शिष्य थे बंगाल के। उनका नाम था सतीश चन्द्र दास। उन्होंने बड़े अध्ययन के बाद एक पुस्तक लिखी थी—काऊ। उसका अनुवाद हिन्दी में भी गाय नामसे छपा है। उसमें उन्होंने लिखा है कि सूखी गायों और बूढ़े बैलों का अगर सामूहिक रूप से पालन किया जाये तो वह देश के ऊपर कभी भार नहीं पड़ेंगे। बल्कि देश के लिये लाभदायक सिद्ध होंगे। ऐसा उन्होंने सिद्ध किया है। लेकिन सरकार ने इस प्रकार की आवश्यकता को कभी अनुभव ही नहीं किया। दूसरा मेरा कहना यही है कि आज जो हिन्दू भावना में आकर यह कहते हैं कि हम इस देश में गोहत्या बन्द होनी चाहिये। उनसे आप यह कह सकते हैं कि आपके मन्दरों में खर्च के अतिरिक्त जितनी आय है उस आय को आप इस गोवंश के पालन के निमत्त दीजिये ताकि सरकार के ऊपर इनका बोझ न पड़े और उस आय से हम इस देश के अन्दर सूखी गायों और बूढ़े बैलों का पालन कर सकें। फिर उनकी हार्दिक भावना भी देखिये कि केवल गोहत्या बन्द करने का आन्दोलन ही वह करना चाहते हैं या उनकी हार्दिक इच्छा भी सक्रिय रूप इसके साथ है ?

अन्तिम बात एक विशेष रूप से कहना चाहता हूं और वह यह कि प्रधान मंत्री जी ने कहा, मैंने भी एक पत्र उनको लिखा, मेरे पत्र के उत्तर में भी उन्होंने लिखा कि राज्य सरकारों की जिम्मेदारी यह है। संविधान की धारा 46 में जहां यह लिखा है कि राज्य सरकारें गोवध को बन्द करेंगी वहां राज्य की व्याख्या जो है वह संविधान की धारा 12 में है और संविधान की धारा 12 में जो राज्य की व्याख्या है उसमें स्पष्ट लिखा है कि राज्य से अभिप्राय विधान मंडल, प्रान्तों की सरकार, पालियामेंट और केन्द्र की सरकार यह सारे के सारे राज्य शब्द के अन्दर आ जाते हैं। तो यह कह करके सरकार अपनी जिम्मे-

[श्री प्रकाशवीर शास्त्री]

दारी से क्यों भागना चाहती है ? लेकिन इसके बाद भी अगर संविधान में संशोधन करने की आवश्यकता हो तो मैं कहता हूं कि देश के इतने बड़े जनमत का आदर करते हुए सरकार यह निर्णय ले सकती है कि संविधान में जहां उन्होंने 21–22 बार संशोधन किया है वहां एक संशोधन यह भी अगर करते हैं तो उसमें क्या कठिनाई है ? अगर गोआ के अन्दर जनभावना जानने के लिए एक विधेयक ला कर गोआ में जनमत कराया जा सकता है तो देश में कितनी जनता आज इस प्रकार की है कि जो गोवध बन्द करने के पक्ष में है उसको जानने के लिए देश में जनता का मत क्यों नहीं जाना जा सकता ? गृह मन्त्री ने 4 नवम्बर को कहा हम ने राज्य सरकारों को पत्र लिखा है । लेकिन शिंदे साहब ने 29 नवम्बर को जवाब दिया है कि 6 में से 3 राज्यों ने अभी तक उत्तर दिये हैं । यानी राज्य सरकारों को पत्र लिखा गया 4 नवम्बर से पहले और 29 नवम्बर को इन्हीं की सरकार का एक जिम्मेदार मंत्री कहता है कि 6 में से 3 राज्यों ने उत्तर दिया है । इस से मालूम पड़ता है कि कितनी राज्य सरकारों की लापरवाही इस में चल रही है ? राज्य सरकारें इस में तत्परता से काम नहीं ले रही हैं तो देश की भावना का आदर करते हुए क्यों नहीं केन्द्र इस प्रकार का कानून बनाता है जिससे इस प्रकार की स्थिति बने और गोवंश की हत्या बन्द हो ?

दूसरी सबसे बड़ी बात यह है कि संघ शासित क्षेत्रों में अब तक क्या किया ? इन में जब केन्द्रीय सरकार स्वयं कानून लागू कर सकती है तो अब तक वहां क्यों नहीं लागू किया ? इससे केन्द्रीय सरकार के मन का चोर मालूम पड़ता है ।

यहां एक बात और विशेष रूप से कहना चाहता हूं और वह यह कि मेरे मित्र श्री हुकम चन्द कछवाय ने कहा कि 7 नवम्बर की जो घटना घटी है उस की न्यायिक जांच कराने से जो सरकार हट रही है उस से लोगों के मन में तरह तरह के भ्रम पैदा होते जा रहे हैं कि सरकार जानबूझ कर इस से बच रही है क्योंकि उस में सरकार के कुछ जिम्मेदार व्यक्ति फसेंगे, सरकार के कुछ विभाग फसेंगे, सरकार के कुछ जिम्मेदार अधिकारी फंसेंगे । इस से न्यायिक जांच कराने में सरकार डर रही है । मैं एक बात आपके माध्यम से सरकार से अवश्य कहना चाहूंगा कि 7 नवम्बर के प्रश्न में, दिल्ली के अन्दर पार्लियामेंट हाउस के सामने इतने प्रदर्शन हुए, लेकिन आज तक इतनी भारी संख्या में गोली चलना, इतने लोगों का मारा जाना, इस तरह का खून बहना, यह पहली अपने ढंग की घटना थी । पंजाब के अन्दर लाला लाजपत राय की कमर में सात लाठियां लगी थी और लाला लाजपत राय ने मरते समय कहा था कि मेरी कमर पर पड़ी हुई एक एक लाठी ब्रिटिश साम्राज्य के कफन में एक एक कील बन कर गड़ेगी । वही बात मैं दोहराना चाहता हूं । 7 नवम्बर को पार्लियामेंट हाउस के सामने जो साधुओं का खून बहा है वह इस गवर्नमेंट के अत्याचार को ही नहीं, इस गवर्नमेंट को भी समाप्त करके छोड़ेगा जो गोहत्या के प्रश्न पर इतनी जिद पकड़े हुए है और देश की भावना का आदर करने के लिए तैयार नहीं है । इन शब्दों के साथ मैं इस को उपस्थित करता हूं और यह कहना चाहता हूं कि गृह मन्त्री और भारत सरकार इस प्रश्न को प्रतिष्ठा का प्रश्न न बनाये और देश में गाय के प्रश्न पर जो एक भयंकर तनाव की स्थिति बनने जा रही है वह न बनने दें । जगदगुरु शंकराचार्य पुरी वालों का स्वास्थ्य खराब हो रहा है । ब्रह्मचारी प्रभुदत्त जी को आप ने गिरफ्तार किया । इलाहाबाद हाई कोर्ट ने उन को इलाहाबाद आने के लिए आर्डर दे कर के सरकार के मूंह पर करारी चपत दी है । मगर सरकार की समझ में नहीं आया । 107 के अन्दर गाय के प्रति सहानुभूति रखने वाले जिन लोगों को दिल्ली के अन्दर गिरफ्तार किया था दिल्ली हाई कोर्ट ने भी उन को छोड़कर सरकार के मुंह पर करारी चपत लगायी लेकिन

इस के बाद भी केन्द्रीय सरकार सही रास्ते पर आने के लिए तैयार नहीं है । मैं चाहता हूं कि गाय जैसे पवित्र प्रश्न को हठ का और प्रतिष्ठा का प्रश्न न बनाया जाये बल्कि इस के ऊपर शांति और गम्भीरता के साथ विचार किया जाये और जल्दी ही इस प्रश्न का समाधान कर लिया जाये। जिससे साधु महात्मा जो अनशन और उपवास—इस मार्ग पर चलने के लिए विवश हो गये हैं उन को इस प्रकार की आवश्यकता न पड़े ।

Mr. Chairman: Motion moved:

"That this House takes note of statement made by the Minister of Home Affairs on the 4th November, 1966, regarding banning cow slaughter."

Dr. Singhvi has intimated that he wants to move his amendments to both these motions. So, they will be treated as moved.

Dr. L. M. Singhvi (Jodhpur): I beg to move—

That at the end of the motion, the following be added, namely:—

"and calls upon the Government to—

(a) release all those against whom there is no direct or definite evidence of involvement in committing violence;

(b) hold an independent inquiry into the circumstances leading to the firing and the disturbances on the 7th of November, 1966;

(c) institute an impartial juridial inquiry into the number of deaths caused as a result of police firing and the cremation of dead bodies without reference to the next of kin and without even establishing the identity of the dead bodies; and

(d) publish a white paper on the incidents on the 7th November, 1966."

That at the end of the motion, the following be added namely:—

"and is of opinion that—

(a) the statement does not adequately reflect an understanding of the public sentiments throughout the country;

(b) certain States have not yet enacted suitable legislation to ban cow slaughter; and

(c) prohibition of cow slaughter cannot be effective except by an all-India ban;

and calls upon the Government forthwith to accept the demand for an all-India ban on cow slaughter in principle and to take steps to implement the same at the earliest."

श्री राम सहाय पाण्डेय (गुना): सभानेत्री जी, 4 नवम्बर को इस सदन में भूतपूर्व गृह मंत्री श्री नन्दा जी ने आश्वासन दिया था कि जहां तक गोवध का प्रश्न है, इस को सरकार ने बड़ी गम्भीरता से लिया है और केन्द्र द्वारा प्रशासित जितने क्षेत्र हैं, उन क्षेत्रों में बहुत शीघ्र ही गोवध बन्द कर दिया जायगा और कुछ ऐसे प्रदेश हैं, शायद दो तीन—जिनके मुख्य मंत्रियों से वार्ता हो रही है । चूंकि संविधान में गाय का सम्बन्ध राज्यों से है, इसलिये राज्यों के मुख्य मंत्रियों से बातें हो रही हैं, बहुत शीघ्र ही हम एक अच्छे परिणाम पर पहुंचेंगे । मैं समझता हूं कि धरती, संस्कृति धर्म, ये सब मानव के विकास की कहानी से जुड़े हुए हैं, हमारे ऊपर संस्कृति का भी प्रभाव है, धर्म का भी प्रभाव है और प्रभाव है उन सब मूल्यों का जिन से हमारा जीवन बंधा हुआ है । गाय के सम्बन्ध में कोई दो रायें नहीं हो सकतीं, लेकिन गाय को राजनीति की तुला में तोलने का प्रयास क्यों किया जाता है ? गाय को संस्कृति के प्रतीक की बात कह कर, धर्म के प्रतीक की बात कह कर, आन्दोलन करना, लारियों और बसों से लोगों को इकट्ठा

[श्री राम सहाय पाण्डेय]

करना और जब मैंने सदन में पूछा कि ये गो-भक्त कौन थे, तो मालूम हुआ कि इस प्रदर्शन की आज्ञा प्राप्त करने वाले दो हैं—जन संघ और आर० एस० एस० . . . .

श्री हुकम चन्द कछवाय : गलत बात है, आप रिकार्ड मंगाइये तो मालूम पड़ेगा ।

श्री राम सहाय पाण्डेय : यह बात यदि गलत होगी तो गृह मंत्री यहां पर बैठे हुए हैं, वे इस का स्पष्टीकरण करेंगे ।

श्री हुकम चन्द कछवाय : वे पेपर मंगायें, जिस पर आर्डर दिये गये थे, उन पर किस का नाम है और उस को सदन के सामने रखिये, तब मालूम पड़ेगा कि किस के नाम हैं ।

श्री जगदेव सिंह सिद्धान्ती (झज्झर) : पाण्डे जी, मैं घोषणा करता हूं कि इस आन्दोलन और सत्याग्रह को चलाने वाला आर्य समाज है ।

श्री राम सहाय पाण्डेय : आप आर्य समाज को क्यों लाते हैं, वह तो हमारे मस्तक पर है । आर्यसमाज को इस में मत लाइये, आर्य समाज जैसी पवित्र संस्था, जिसका राजनीति स कोई सम्बन्ध नहीं है, हमारे स्वामी दयानन्द जी ने आर्य संस्कृति के लिये जो कुछ कहा है, उसको इस में मत लाइये । इस में जो लोग हैं, उनका वृतांत मैं बताये देता हूं . . . . . (**व्यवधान**)

सभापति महोदय : आप मुझे एड्रेस करें ।

श्री राम सहाय पाण्डेय : गोवध बन्द होना चाहिये, इस में दो रायें नहीं है, लेकिन यह इन से पूछें कि उसकी पूछ पकड़ कर, आन्दोलन कर के, साधुओं को चाहे जैसे साधू हों, चाहे वस्त्र धारण किये हुए हों या निर्वस्त्र हों, हमारी संस्कृति यह है कि साधु सामने आये, तो उसके सामने मस्तक झुकाया जाता है—उन को त्रिशूल पकड़वाकर क्या कराया गया, महाविनाश का ताण्डव कराया गया हमारे धर्म पर एक धब्बा लगाया गया, हमारे मानव-मूल्यों पर एक धब्बा लगाया गया । मैं आपसे कहता हूं कि यदि आप यह समझते हैं कि गाय के नाम पर यह काम अनुचित हुआ है, त्रिशूल लेकर संस्कृति पर धब्बा लगया गया है, धर्म को धब्बा लगाया गया है, मानवता को धब्बा लगाया गया है, हम उसको कन्डेम करते हैं, इस को आप खड़े हो कर कहें

श्री प्रकाशवीर शास्त्री : हम उसको कण्डम करते हैं ।

श्री राम सहाय पाण्डेय : शास्त्री जी, आपने ऐसा कहा है मैं आपको साधुवाद देता हूं ।

श्री बड़े (खारगोन) : हम ने उसी रोज स्टेटमेंट निकाला था . . . . (**व्यवधान**)

श्री राम सहाय पाण्डेय : मैं जानता हूं कि शास्त्री जी उस दिन वहां मंच पर थे, इन का बड़ा ओजस्वी भाषण हुआ था मैं इन को सधुवाद देता हूं कि इन्होंने तुरन्त हिंसात्मक कार्यवाहियों का विरोध किया, न केवल विरोध किया, बल्कि निन्दा भी की । आपके दिमाग में गऊ से ज्यादा राजनीति भरी हुई है . . . .

श्री बड़े : आपके दिमाग में है । मध्य-प्रदेश में क्या हो रहा है, वह आपके सामने है ।

श्री राम सहाय पाण्डेय: चुनाव की बात छोड़िये, वहां तो हम लड़ लेंगे ।

श्री हुकम चन्द कछवाय : गाय के बेटे के नाम पर वोट आप मांगने जाते हो ।

श्री राम सहाय पांडेय : इन बातों से गोवध बन्द नहीं होगा, गोवध बन्द करने का निर्णय हम को लेना है, गृह मंत्री को लेना है, इस सरकार को लेना है। गोवध बन्द होगा, अवश्य बन्द होगा, शाश्वत रूप से बन्द होगा और यह सरकार करेगी ....

श्री बड़े : चुनाव से पहले बन्द होगा या बाद में बन्द होगा?

श्री राम सहाय पांडेय : चुनाव को छोड़िये, इस का चुनाव से क्या सम्बन्ध है।

श्री हुकम चन्द कछवाय : वोट तो उन्हीं से मांगते हो।

श्री राम सहाय पांडेय : इस का धर्म और संस्कृति से कोई सम्बन्ध नहीं है।

श्री काशी राम गुप्त : सभापति महोदय मेरा व्यवस्था का प्रश्न है। चुनाव के बाद यह सरकार यहां रहेगी या नहीं, यह तो पता नहीं है, इस लिये 15 अप्रैल से पहले पहले अगर सरकार इस को करेगी तब तो कुछ बात है।

सभापति महोदय : यह प्वांइट आफ आर्डर की बात नहीं है। यह आपके भाषण की बात है।

श्री राम सहाय पांडेय : चुनाव के बाद यह सरकार भी रहेगी और गाय भी रहेगी, लेकिन ये नहीं रहेंगे, इस का मुझे अफसोस है।

श्री हुकमचन्द कछवाय : यह तो वक्त बतायेगा कि कौन रहनेवाला है।

श्री राम सहाय पांडेय : सरकार भी रहेगी और गाय भी रहेगी, इस देश का धर्म भी रहेगा, इसकी संस्कृति भी रहेगी, इस का प्रजातन्त्र भी रहेगा और हम भी रहेंगे, तुम नहीं होगे, इस का अफसोस हम को तब भी रहेगा।

सभापति महोदय : आप चेयर को एड्रेस करें।

श्री अ० प्र० शर्मा (बक्सर): वह कह रहे हैं कि आप भी रहेंगी।

श्री राम सहाय पांडेय : गाय के संरक्षण का जहां तक सम्बन्ध है, चाहे विरोधी दल हो या हम हों हम सब उस भावना का आदर करते हैं, आचार्य, मनिषी और साधुओं का हम सब आदर करते हैं, जिनकी भावना है कि गऊ वध बन्द हो और इस लिये इस बड़े सदन के माध्यम से मैं प्रार्थना करता हूं कि जो उपवास कर रहे हैं, वे अपने उपवास को छोड़ दें।

श्री बड़े : शंकराचार्य को जेल में भेज कर ऐसा कहते हैं

श्री राम सहाय पांडेय : जो हिंसा के मार्ग पर जा कर गोवध को बन्द कराना चाहते हैं, वे शांति और अहिंसा का मार्ग अपनायें, धर्म और संस्कृति को धब्बा नहीं लगने दें, जितनी भी समस्यायें हैं, हम आपकी, विरोधी दल की हर बात मानने को तैयार हैं। यदि शांति के साथ, आस्था और विश्वास के साथ, अमन के साथ इस को लिया जाय, तो गऊ के सम्बन्ध में मेरी भी वही राय है कि गऊ का संरक्षण होना चाहिये।

मैं एक और निवेदन करना चाहता हूं कि देश के तमाम मठों से निवेदन किया जाय, तमाम साधुओं से निवेदन किया जाय, महात्माओं से निवेदन किया जाय कि कम से कम एक ऐसी गाय को वे रखें, जो गाय दूध न देती हो, जो सूखी हो, दूध देने वाली गाय को रखने वाले बहुत लोग हैं, इस लिये मैं उन से यह निवेदन करना चाहता था।

एक निवेदन और है इस सदन के माध्यम से। जितने धार्मिक काम हैं उनका केन्द्रीयकरण किया जाय, बड़े बड़े पिंजरापोल खोले जांय इस प्रकार की गायों के संरक्षण के लिये

[श्री राम सहाय पाण्डेय]

और मठों का पैसा इस में लगाया जाय, केन्द्रीय सरकार भी उस में दे, जनता भी दे और इस प्रकार से राष्ट्रीय गऊ संरक्षण के लिये यह कोष बनाया जाय। जितने हमारे पांच लाख भाई यहां जो यहां प्रदर्शन के लिये आये थे, यदि एक एक गाय उनको दे दी जाय तो पांच लाख गायों की व्यवस्था हो सकती है। जहां हम गऊ-बध का विरोध करते हैं, गऊ-बध बिल्कुल समाप्त हो जाना चाहिये, वहां हमारी एक बड़ी चिन्ता है और वह यह है कि गाय, जिस को हम माता कहते हैं, उसका संरक्षण कैसे हो। यदि यह कोष बन जाय और इस कोष के साथ साथ जितनी बड़ी बड़ी संस्थायें हैं, पिंजरापोल हैं, उन के बड़े बड़े ट्रस्टीज़ से कहा जाय कि चार-चार, पांच-पांच गाय अपने संरक्षण में लें तो यह समस्या हल हो सकती है। यहां पर गउओं से दूध लेने और पीने की बात नहीं है, उन के संरक्षण की बात है।

श्री हुकम चन्द कछवाय : आपके पास कितनी गायें हैं?

श्री राम सहाय पाण्डेय : मेरे पास गाय नहीं है।

श्री हुकम चन्द कछवाय : कागज के बैल बोलते हैं।

श्री राम सहाय पांडेय : मेरे पास गाय नहीं है, लेकिन उसके बाद भी मेरी गऊ-भक्ति की तारीफ़ नहीं करते हैं। मेरे पास गाय नहीं है, लेकिन तब भी आपको इस बात पर प्रसन्नता होनी चाहिये कि मेरी गो भक्ति कितनी श्रेष्ठ है, उत्तम है, आपसे कम नहीं है।

दूसरा निवेदन यह है, और मैं गृह मंत्री जी से भी कहूंगा, कि वार्ता कर के समझा बुझा कर के, जो हमारे आचार्य मनीषी लोग हैं, जैसे कि जगद्गुरु शंकराचार्य हैं वह बड़े प्रतिष्ठित लोग हैं, सब लोग उन को मानते हैं उन से कहें कि वह अपना आग्रह छोड़ दें और हमें इस काम में मदद करें। साथ ही जितने भी लोग गिरफ्तार हैं, प्रभुदत्त ब्रह्मचारी जैसे, उन को छोड़ दिया जाय। तब फिर साथ बैठ कर के एक टेबल पर इस समस्या का समाधान हम को ढूंढ कर निकालना चाहिये। अगर हम ऐसा कर सकें तो बड़ी अच्छी बात होगी। मैं गृह मंत्री जी से यह भी निवेदन करूंगा कि वह मुख्य मंत्रियों को समझा बुझा कर इस प्रश्न का समाधान कर ही डालें क्योंकि यह भावना की बात है। और जब यह भावना प्रधान बात है तो जन-रंजन और जन मानस प्रजातन्त्र का आधार हो, इस की भी सिद्धि होनी चाहिये। इस लिए राज्य राजनीति से हट कर गाय को देखें। गाय के लिये संरक्षण कोष बनाए, सूखी गाय का हम पालन करें और जो हमारी धार्मिक और सांस्कृतिक भावनायें गायों के साथ निहित हैं उन का आदर करें।

इन शब्दों के साथ ही मैं समझता हूं कि इस तरह के राजनीतिक आन्दोलन करने वालों से अगर गाय की पूछ पकड़ कर वोट मांगने वालों से जनता जागरूक रहेगी।

16.32 hrs.

RE: BUSINESS OF THE HOUSE

Mr. Chairman: Shri Ranga.

श्री हुकम चन्द कछवाय (देवास) क्या बैल की जोड़ी को हटायेंगे। (**व्यवधान**)।

Mr. Chairman: Order, order. We will have to take up private Members' Bills now.

Shri Indrajit Gupta (Calcutta South West): What about this discussion?

Mr. Chairman: It will continue tomorrow.

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): The Speaker said, in consultation wih the Leader of the House, that some time will be fixed for this. I think it will be on the 5th after the Patents Bill, not tomorrow.

श्री हुक्म चन्द कछवाय : इस को कल रक्खा जाये ।

Shri Hari Vishnu Kamath (Hoshangabad): In this session.

Shri Jaganatha Rao: Yes.

Mr. Chairman: May I ask the Chief Whip whether he is quite sure that we will have time within this session, because he is giving that guarantee that it will be within this session?

Shri Jaganatha Rao: Yes, yes; in this session.

Shri Hari Vishnu Kamath: We will have to sit one more day.

Shri Jaganatha Rao: Yesterday he said 'not beyond Monday'. That we will see.

श्री हुक्म चन्द कछवाय : कल प्रश्नोत्तर नहीं है । हम एक घंटे ज्यादा बैठ सकते हैं । इस को कल 12 बजे से लिया जाये ।

Shri Sham Lal Saraf (Jammu and Kashmir): There are two important Bills that have been made a mention of in the business in which I am vitally interested. The first is for amending the Constitution for including the Sindhi language in the Eighth Schedule. The second is the Indian Tariff (Second Amendment) Bill. The sericulture industry is a very vital industry in my State needing continued protection. Unless this Bill is passed, the industry is gone. So these two Bills have to be got through. Will the Minister say something on this?

Mr. Chairman: I will explain it. The question is that we cannot take too much time on this discussion. The outstanding business is already there listed. Shri Saraf is saying that there are two important Bills in which he is interested; there must be some other Members who are very much interested in other Bills. There is, for instance, the Patents Bill. So all these Bills will have to be got through as well as the rest of this discussion concerning which a gurantee or assurance has been given that it will continue before the end of this sesssion.

Some hon. Members: Tommorw.

Mr. Chairman: There are two points. Let we make it quite clear. I shall take the opinion of the House.

This discussion should not be broken in the middle. It should continue tomorrow. But the Leader of the House and Government want that the other business should be taken up first, interrpting this one, and this should be taken up on the 5tht after the Patents Bill is disposed of.

Some hon. Members: No.

Shri Sham Lal Saraf: Protection to the silk industry is coming to a close. Unless you pass the Bill, the protection is going away.

Mr. Chairman: The Government says that all the business that is there on the agenda paper will be gone through. Ihope that the Government is clear as to what assurance it is giving to this House.

Dr. L. M. Singhvi (Jodhpur): If this discussion is going to be taken up during this session, it is illogical that it should be interrupted. I sense and I suspect very strongly that this is a move to scuttle this discussion. Otherwise, why should it be interrupted?

Shri Jaganatha Rao: I assure the House that our intention is not to scuttle the discussion on this motion. It will be taken up after the Patents Bill.

श्री विभूति मिश्र (मोतिहारी) : यह हाऊस दो दिन के लिये बढ़ाया गया, इस लिये कि पेटन्टस बिल लिया जाये। हम लोगों ने इस के लिये वोट दिया। आज कहते हैं कि इस बिजिनेस को लिया जाये। पेटन्ट बिल के लिये यह हाउस बढ़ाया गया है। इस लिये दूसरी चीज पहले नहीं आना चाहिये।

Mr. Chairman: Mr. Bibhuti Mishra has misunderstood the whole situation. It is not that the Patents Bill will not be taken up. Patents Bill will be taken up, but the question is that the Government now proposes that this discussion which has got priority over other things should be interrupted in order to take up other business.

Shri Hari Vishnu Kamath: May I make a request? I only hope that this is not a ruse,—I am sorry to use that word. I want a categorical assurance that after the Patents Bill is disposed of, his party will not make any move to adjourn the other business to the next session. I want an assurance on that point, that these two motions will be taken up in this session; if, as he says, these two motions will be taken up in this session, I do not understand why it cannot be taken up tomorrow.

Mr. Chairman: The question is: will the Patents Bill be taken up tomorrow?

Shri Jaganatha Rao: On Monday.

Mr. Chairman: Then tomorrow this discussion will continue. The Patents Bill is not to be taken up.

Shri Jaganatha Rao: There is other Government business which has priority over this.

Mr. Chairman: I am absolutely sure that the Speaker himself had stated...

Shri Jaganatha Rao: That is not correct. You check up from the record. The Speaker, I think, said in consultation with the Leader of the House that it will be taken up later. That is what the Speaker stated.

Mr. Chairman: I cannot understand this. If you are not taking up the Patents Bill tomorrow:....

Shri Jaganatha Rao: There are other important items.

Mr. Chairman: How do you propose to continue and finish this discussion on Monday?

Shri Jaganatha Rao: At the end of the day on Monday.

Mr. Chairman: Do you assure that there will be quorum?

Shri Jaganatha Rao: We on this side will not raise the point of quorum at all.

Dr. L. M. Singhvi: That will be going back on the assurance given.

Shri Indrajit Gupta: On this discussion 45 minutes have already been taken up. That means only one hour and 45 minutes are left. There is no Question Hour tomorrow. If this thing is not interrupted and allowed to be finished, there is plenty of time after that to take up the other business. Why should this be interrupted in the middle?

Shri Jaganatha Rao: May I make a suggestion? Tomorrow at 5 O'Clock we will take this up.

श्री हुकम चन्द कछवाय : मान जाओ जगन्नाथ राव जी। लेना चाहिये।

श्री जगन्नाथ राव : नहीं मानूंगा।

Mr. Chairman: The point made by Mr. Indrajit Gupta is very logical. It is not a long discussion. 1 hour and 45 minutes remain. Why interrupt it? It is illogical. We can continue with it.

Shri Jaganatha Rao: We must have the majority of Members for the Constitution Bill. Unless I have all the Members, it is not possible.

Shri Sonavane (Pandharpur): The Opposition Members seek an assurance from the Minister of Parliamentary Affairs and he has assured that this discussion will be taken up before we adjourn. I want an assurance from the hon. Members in the Opposition that in order to complete all the business including this discussion, no question of quorum will be raised by Shri Kachavaiya:

श्री हुक्म चन्द कछवाय: नहीं उठेगा।

Shri Radhelal Vyas (Ujjain): On a point of order, under rule 25. The rule is specific that on days allotted for the transaction of Government business such business shall have precedence. These two motions cannot be said to be Government business, and what Mr. Rao said will have precedence, and the other business will be taken up thereafter. Of course we are prepared to sit and we are not going to raise the question of quorum; there should not be any apprehension on that score.

Mr. Chairman: It would be illogical to interrupt this now. The Constitution amendment is a tiny thing; it will not take much time.

Shri Jaganatha Rao: Sometimes it takes more than so many hours. That is why, Madam Chairman, I suggest that this might be taken up at 5 O'clock tomorrow.

Mr. Chairman: Tomorrow there is no question hour and even if the Constitution amendment Bill has to be got through, we start at 11 O'clock, latest by one or half past one O'clock this discussion will be over, and we can take up the Constitution amendment Bill immediately thereafter.

Shri Jaganatha Rao: There is not only one Bill; there are four Bills.

Mr. Chairman: Then, I propose that this matter be decided by the Speaker tomorrow.

Dr. L. M. Singhvi: How will they decide and make it public?

Mr. Chairman: I do not see why this should be interrupted in between. If the Government insists on it, they can put it on the agenda and we will know when it is circulated. We now take up private Members Bill.

16.43 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTION

HUNDREDTH REPORT

Shri A. Alva (Mangalore): I move:

"That this House agrees with the Hundredth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 1st December, 1966."

Mr. Chairman: The question is:

"That this House agrees with the Hundredth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 1st December, 1966."

The motion was adopted.

16.43½ hrs.

CONSTITUTION (AMENDMENT) BILL*

(Amendment of article 324)

Shri Shree Narayan Das (Darbhanga): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

Mr. Chairman: The question is.

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

Shri Shree Narayan Das: Madam Chairman, I introduce the Bill.

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16.43-3/4 hrs.

CONSTITUTION (AMENDMENT) BILL*

(*Amendment of article* 370).

Shri Hari Vishnu Kamath (Hoshangabad): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

Shri Hari Vishnu Kamath: Chairman Madam, I introduce the Bill.

16.44 hrs.

CONSTITUTION (AMENDMENT BILL*

(*Amendment of article* 130).

Shri Hari Vishnu Kamath (Hoshangabad): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

Shri Hari Vishnu Kamath: Chairman, Madam I introduce the Bill.

16.44½ hrs.

PROHIBITION OF MANUFACTURE AND IMPORT OF HYDROGENATED VEGETABLE OILS BILL—*by* Shri Yashpal Singh—*contd.*

Mr. Chairman: The House will take up further consideration of the following motion moved by Shri Yashpal Singh on the 18th November, 1966:—

"That the bill to provide for prohibition of manufacuture and import of hydrogenated vegetable oils in India, be circulated for the purpose of eliciting opinion thereon by the 1st February, 1967."

Already we have taken one hour, so that there is only half and hour more for this discussion. Shri Radhelal Vyas.

16.45 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

श्री राधेलाल व्यास (उज्जैन) : इस विधेयक पर पिछली बार भी काफ़ी चर्चा हुई थी। वनस्पति घी पर प्रतिबन्ध लगाने का यह जो विधेयक है इस में कुछ बातों पर विचार करना बहुत जरूरी है। जैसा कि मैंने पिछली बार भी बताया था वनस्पति घी अब एक...

श्री हरि विष्णु कामत (होशंगाबाद): घी नहीं है।

श्री राधे लाल व्यास : घी ही इस को कहते हैं। सभी जगह इसको घी ही के नाम से ही पुकारा जाता है। इसलिये जो नाम इसका पड़ गया है उसी नाम का मैं प्रयोग करूंगा। यह वनस्पति जो हमें मिलता है या जो हम खरीदते हैं इसको बड़े बड़े पैसे वाले भी खरीदते हैं। उनके यहां जो ब्याह शादियां होती हैं उन में भी वनस्पति घी से ही चीज़ बनाई जाती हैं और उनको इसी से तैयार किया जाता है। इस वास्ते अगर इसको एक दम बन्द कर दिया गया तो मैं समझता हूं कि देश में महान संकट पैदा हो जाएगा और लोगों को मुशकिल हो जाएगी और जो थोड़ा बहुत घी लोगों को मिलता है वह भी मिलना मुशकिल हो जाएगा। यह जरूर है कि इसका दुरुपयोग होता है, इसको असली घी में मिला दिया जाता है और उस पर ही सारी आपत्ति है। इस विषय पर यहां कई बार चर्चा हो चुकी है और इस पर भी चर्चा हो चुकी है कि इस

*Published in Gazette of India Extraordinary, Part II, section 2; dated 2-12-66.

में कोई रंग ऐसा मिलाया जाना चाहिये जिस से इसको असली घी में मिलाया जा सके। अभी तक कोई ऐसा रंग नहीं मिला है जोकि इस में मिलाया जा सके। आज के वैज्ञानिक युग में अगर कोई ऐसा रंग निकाल भी लिया जाए तो भी मेरा ख्याल है कि इस रंग को अलग करने की क्रिया भी वैज्ञानिक लोग मालूम कर लेंगे और उसको दूर भी वे कर लेंगे। इस वास्ते इससे काम नहीं होगा। इस लिये मैंने सुझाव यह रखा था कि सब से अच्छा तरीका यह है कि इस वनस्पति के तेल को जमाया न जाए, इसको पिघला हुआ रखा जाये। आखिरकार जब इसको काम में लाया जाता है तो पिघला कर ही काम में लाया जाता है रोटी चुपड़नी होती है तो भी इसको पिघलाया जाता है और अगर कड़ाही में डाल कर पकवान बनाने होते हैं तो भी इसको पिघलाना पड़ता है। मैं चाहता हूं कि यह जो मेरा सुझाव है इस पर सरकार को गम्भीरता से विचार करना चाहिये तेल को शुद्ध तो करें, फ़िल्टर तो करें, यहां तक तो होने दें लेकिन जमाने का जहां तक सवाल है, उसका जमाना बन्द कर दें। इससे सारी जो शिकायत है वह दूर हो जाएगी और तेल के रूप में हम इसको इस्तेमाल कर सकते हैं।

दूसरा तरीका यह है कि जो असली घी है उसका उत्पादन बढ़ाया जाए। काफ़ी कहा गया है कि गोवद्ध के कारण घी का उत्पादन नहीं बढ़ाया जा सकता है। मैं समझता हूं कि घी का गोवद्ध से सम्बन्ध नहीं है।

श्री यशपाल सिंह (कैराना) : सौ फ़ीसदी है।

श्री राधे लाल व्यास : गोवद्ध बन्द करने से अगर घी का उत्पादन बढ़ जाए तब तो अच्छी बात है। लेकिन मैं यह नहीं कहता हूं कि गो वद्ध बन्द नहीं होना चाहिये। मैं गोवद्ध के खिलाफ़ हूं। मैं चाहता हूं कि गोवद्ध न हो। ये मेरे आज के विचार नहीं हैं, बहुत पहले मैं अपने इस विचार को प्रकट कर चुका हूं। मैं मानता हूं कि संविधान में इसके बारे में जो कुछ लिखा हुआ है उसका पालन होना चाहिये। लेकिन यह काम राज्य सरकारों को करना है। यहां यह भी कहा गया है कि केन्द्र भी इस को कर सकता है। लेकिन मैं समझता हूं कि वह नहीं कर सकता है क्योंकि इसके बारे में स्पष्ट निर्देश दिया गया है और यह जो विषय है यह लिस्ट 2 में दिया हुआ है। राज्य सरकार ही इसको कर सकती है। मैं आशा करता हूं कि प्रधान मंत्री और गृह मंत्री पूरा प्रभाव डाल कर इसको करवायेंगे।

एक और प्रश्न यहां उठाया गया है और यह कहा गया है कि चरागाहें नहीं रखी गई हैं। चारागाहें रखनी चाहिये।

कई राज्य हैं जहां चरागाहें हैं। मेरे राज्य में कई जगह आज भी चरागाहें हैं। लेकिन जो गायें हैं वह आधा सेर और पाव पाव भर दूध देती हैं। इसके विपरीत आप देखें कि जहां पर स्टाल फ़ीडिंग होता है, जहां पर घर पर गाय रखी जाती हैं, जहां घर पर ही उन को खिलाया पिलाया जाता है वहां वे बहुत अच्छा और ज्यादा दूध देती हैं। पूसा इंस्टीट्यूट में जा कर आप गायों को देखें। गायें बहुत दूध देती हैं। जो गायें चौबीसों घंटे अन्दर रहती हैं वहां वे अच्छा दूध देती हैं। पंजाब में आप जा कर देखें लो। इस विधेयक के जो प्रस्तावक हैं वह खुद देखें कि पंजाब में कितनी चरागाहें हैं। वहां नहीं हैं। लेकिन सब से अधिक दूध पंजाब की गायें देती हैं। गायों का पालना, उनका संरक्षण और अच्छी नस्ल की गायें पैदा करना और अच्छे दूध की व्यवस्था करना डेरी के द्वारा गोशालाओं के द्वारा, और उस में दिलचस्पी लेना यह हम सब का कर्त्तव्य होना चाहिए। लेकिन दुर्भाग्य यह है कि जो गाय की सेवा की

[श्री राधे लाल व्यास]

बात करते हैं, गोरक्षा की बात करते हैं, वे गोपालन की तरफ जरा भी ध्यान नहीं देते हैं। अगर गाय की हम रक्षा करना चाहते हैं तो गोपालन की तरफ हमें ध्यान दे ना होगा, गाय का व्रत लेना होगा, गाय का दूध पीना होगा, गाय का घी खाना होगा, मरे हुए मवेशी के ही चमड़े का जूता पहनना होगा, जिन्दा जानवर को मार कर और उसकी क्रोम लेकर जो जूते बनते हैं, हमें व्रत लेना होगा कि हम उनको नहीं पहनेंगें और गांधी जी ने जी तरीका बताया था, उस पर चलना होगा। जब तक समाज के लोग, सुधारक और नेता उस तरीके नहीं अपनायेंगे, तब तक गो की रक्षा नहीं सकती है। मैं निवेदन करना चाहता हूं कि केवल गाय की संख्या बढ़ाने से ही गोपालन नहीं होगा। इस लिए मेरा सुझाव है कि घी का उत्पादन बढ़ाया जाय और उस का तरीका यही है कि ज्यादा से ज्यादा गौशालायें स्थापित की जायें, जिन में खास ब्रीडिंग के द्वारा अच्छी नस्ल की और ज्यादा दूध देने वाली गायों का उत्पादन हो। इस के अतिरिक्त लोग गाय के दूध और घी का प्रयोग करने का व्रत लें। इसी प्रकार यह समस्या हल होगी।

The Deputy Minister in the Ministry of Food, Agriculture, Community Development and Cooperation (Shri Shinde): Sir, ...

श्री यशपाल सिंह : उपमंत्री महोदय जो बोल रहे हैं, वह डाल्डा की लेंग्वेज है। वह हमारी लेंग्वेज नहीं है। जो हमारी शुद्ध घी की भाषा है, वह उस में बोलें।

Shri Shinde: Sir, Mr. Yashpal Singh has moved that this Bill for banning the import and manufacture of vanaspati be circulated for eliciting public opinion. I do not know wherefrom he got the information that vanaspati is being imported. At present no vanaspati is imported into India from outside nor does the Government contemplate to do so in future. So, that is quite irrelevant.

Regarding the other point, *i.e.* manufacture of vanaspati, it has been agitated in the House a number of times during the last decade. Hon. members who have earlier moved such motions have either withdrawn the motions or the motions were rejected by the House. The main argument of Mr. Yashpal Singh is that vanaspati is harmful to health and the consumption of this commodity would make our nation weak. He referred to the inability of Government to find out a suitable colour for colourisation of vanaspati.

Some leading members who have participated in the debate like Mr. Raghunath Singh, Shri Kakkar and Mr. Balmiki have really met the points raised by Mr. Yashpal Singh. Still, I would try to put before the House the technical position as well as the scientific views and results of researches in regard to vanaspati, so that there is no misunderstanding or wrong impression in the country. Vanaspati is not a product which is consumed only in India. It is consumed all over the world—in eastern as well as western countries, In the capitalist as well as communist countries. Mr. Yashpal Singh is a very knowledgeable person and though he knew that vanaspati is consumed all over the world, he did not mention it deliberately. Vanaspati is called by different names and diferent brands in different countries—Shortening, Margarine, etc. Shortening is almost the same as our vanaspati and is used in the same way. Margarine is a butter substitute.

Shri Radhelal Vyas: Is it hydrogenated?

Shri Shinde: Yes; the same process is used by our manufacturers as in other countries.

May I also mention that the *per capita* consumption of such fat in other

countries is much higher as compared to India. For instance, in the Scandinavian countries *per capita* consumption per year is between 40 pounds to 50 pounds per year. In the United Kingdom, USA and West Germany, it is 20 to 30 pounds, whereas in India it is only 1.6 pounds. I do not know why the hon. Member has apprehension about this. Such a high rate of consumption in some other countries has not caused any harm to public health in those countries. I do not know why the hon. Member should harbour any apprehension about this product in our country.

Doubts have been raised from time to time about this aspect that vanaspathi has no nutritive value and it is also harmful to human health. Detailed investigations in regard to this were carried on in all important laboratories of our country and important scientists were associated with the investigation of this. May I summarise the results of the investigations carried out by scientists. The detailed studies carried out on the effect of hydrogenated oils have shown that vegetale oils like groundnut oil, sesame oil and their hydrogenated products with a melting point of 37 degree C. and butter have almost the same nutritive value—I underline the word "butter". Hydrogenated oils have similar digestibility as non-hydrogenated oils. These studies have also shown that hydrogenated oils influence the utilisation of other dietary constituents such as calcium to the same extent as untreated vegetable oils and butter. Moreover, butter and hydrogenated fats as sold in India are good sources of vitamin A.

Moreover, I would like to add one thing. The hon. Member has raised some doubts about the utility of vanaspathi because of some reports that have appeared in the Press. Recent reports which appeared in the Press indicate that vanaspathi is one of the causes of heart disease. These reports were very closely examined and they were carefully looked into by the Ministry of Halth in consultation with the Indian Council of Medical Research, which initiated detailed researches on the subject. These researches have shown that consumption of so-called "hard" fats like butter, ghee, vanaspathi or even coconut oil at high levels, that is, supplying nearly 40 per cent of the total calories in the diet, tends to increase the cholesterol levels in the blood serum; but that such increase in serum cholesterol levels, even on prolonged feeding over a period of one year in monkeys, corresponding to 6 to 7 years in humans, is not attended with the development of atherosclerosis, as had been once presumed. It has also been shown that the intake of such fats at moderate or low levels (10 to 15 per cent of the total calories in the diet) is associated with no significant increase in serum cholesterol levels. There are a number of other details and I do not want to take the time of the House on that.

It will thus be clear that all that can be said is that excessive consumption of hydrogenated oils may lead to an increase in blood cholesterol levels which, however, has not been proved to bear any causal relationship with heart disease. May I also mention that all other "hard" ghee, coconut oil, fats like butter, etc., have the same..

Shri J. B. Kripalani (Amroha): Does the hon. Minister know that doctors do not allow heart patients to take dalda?

Shri Shinde: In fact, all fatty substances are not allowed by doctors.

Shri J. B. Kripalani: They specially prohibit this. I can tell you from my personal experience. Do not quote doctors here. I have consulted umpteen doctors. They say, one can take oil but not this hydrogenated oil.

17 hrs.

Shri Shinde: The hon. Member has raised some point. I will look into it.

Shri J. B. Kripalani: Did he suffer from heart disease at any time?

Shri Shinde: One need not necessarily undergo that experience to know about it. Fortunately, I am not a heart patient.

Shri J. B. Kripalani: So, you are talking through your hat.

Shri Shinde: If it is said for this reason alone that the production and consumption of hydrogenated vegetable oil is undesirable and should be banned, then we would necessarily have to ban the production and consumption of butter, ghee and coconut oil as well. That is my difficulty. Broadly speaking, it may be stated that consumption of all fats inexcess is harmful, but with our sub-normal *per capita* consumption of fats and oils in the country, such a contingency can hardly be expected to arise.

Shri J. B. Kripalani: I hope one day you will suffer from heart disease and then revise your views.

Shri Shinde: May I say for the information of the hon. House that the total quantity of edible oils and fats available in the country which, currently, is around 23.3 lakh tonnes (including 4.5 lakh tonnes of ghee, 4.3 lakh tonnes of vanaspati and 14.5 lakh tonnes of other edible oils) is just sufficient to provide a *per capita* consumption of ½ oz. per day as against the minimum normal requirement of 2 ozs. according to nutritional experts. There is, therefore, plenty of scope for both vanaspath and ghee, along with edible vegetable oils, to flourish side by side and to expand and develop without impinging on one another's interests.

It is true that because of its very nature and appearance, vanaspathi does lend itself to being misused as an adulterant in ghee. However, the chemical composition of vanaspathi and ghee are such as to enable detection of adulteration of ghee with vanaspathi by chemical analysis. As an additional safeguard, Government have also provided for the compulsory addition of 5 per cent of sesame oil to vanaspathi. This serves as a latent colour by imparting to vanaspathi a positive 'Baudouin Test' based on a colour reaction, by which its presence in ghee could be detected even at a level of 10 per cent.

May I add that though we have tried to consult scientific opinion in regard to colourisation of vanaspathi, unfortunately, the scientific opinion is that colourisation of vanaspathi is not practical. Of the various colours suggested, two alone were considered promising by the Expert Committee, *viz.*, *ratanjot* and turmeric; and further researches were, therefore, initiated on these two colours. These researches have failed to clear the earlier doubts about the toxicity of *ratanjot.* Turmeric was found to suffer from a serious defect due to its similarity to and indistinguishability from the colour of pure ghee. So, neither of these colours was considered acceptable.

I do not want to tire the hon. Members with additional information about colourisation. Despite our research effort for over a decade, it has not been found possible to find out any satisfactory colour. Therefore, though the suggestion is worth considering, unless the scientists and experts are convinced about this, I do not think it would be possible for the Government to advise the manufacturers to add some colour to vanaspathi.

Shri Radhelal Vyas: Why not keep it in a liquid form?

Shri Shinde: They are highly technical matters and unless scientists and experts advise accordingly, I do not think it is possible for us to adopt any method that is not practised the world over.

As far as the capacity in the country is concerned, at present there are 52 vanaspati factories in India with a total capacity of 5·92 lakh tonnes per year. In addition to the 4·3 lakh tonnes vanaspati which is manufactured every year in the country, we are also producing about 45,000 tonnes of industrial hard oils, that is, oils meant for use in the soap and fatty acid industries, and an equal quantity of refined vegetable oils.

As the House is aware, some shortage of vanaspati was experienced a few months back. It was mainly due to shortfall in the last year as a result of serious drought conditions in the main regions where groundnut is grown. In order to make adequate quantities of oil available—not adequate but to a certain extent to help the industry—we imported some soyabean oil and sunflower oil from USA and USSR. That helped to a certain extent to maintain production at a particular level and to maintain the price at reasonable levels.

There were complaints about prices too some time back. We are constantly looking into this aspect and recently we have made three successive reductions in vanaspati prices. There is no statutory control on it, but there is an informal system by which prices are regulated and the manufactures, to my mind, are co-operating with the Government in this respect.

In conclusion may I say that in the present circumstances I do not think we can avoid the manufacture of vanaspati in the country. Moreover, apart from the private sector, we are also thinking of encouraging growers' co-operatives in this field. If growers come forward and organise themselves on co-operative lines and if there are genuine co-operatives which will be able to undertake this activity, we would also think of licensing a few units in the cooperative sector.

As far as the existing capacity is concerned, we are anxious to see that the existing capacity is utilised to the maximum advantage possible.

I do not want to say anything more about this. I do not know whether I should request Shri Yashpal Singh to withdraw the Bill since he has mentioned that he is not going to withdraw the Bill even if there is only one vote in his favour. But he is a very sensible Member and I would like to appeal to him that he should withdraw the Bill. We should not unnecessarily take the time of the House.

श्री यशपाल सिंह : उपाध्यक्ष महोदय मैं बड़ा ग्राभारी हूं उन लोगों का जिन्होंने इस के पक्ष में ग्रौर विपक्ष में भाषण दिए हैं क्योंकि हम लोग विपक्ष वालों के भी ग्राभारी होते हैं । हमारे यहां कहा है :

"श्रतयोऽपि भिन्ना: स्मृतयोऽपि भिन्ना:
नैक: मुनीनां वचन प्रमाणम् ।"

हमारे यहां ख्याली इख्तलाफ की वजह से, विचार वैषम्य की वजह से किसी से नफरत नहीं करते । भगवान महावीर स्वामी जो हैं वह इसी बुनियाद के ऊपर उपदेश करते हैं :

"Much can be said for and against."

तो जो लोग खिलाफ बोले हैं वह भी ग्रौर जो लोग माफिक बोले हैं वह भी, मेरे लिए ग्रादर के पात्र हैं । मैं उन सब का ग्राभार प्रकट करता हूं ।

कुछ एक बात हमारे मिनिस्टर साहब भूल जाते हैं कि फैट में ग्रौर गाय के घी में बहुत फर्क है । फैट हम उसे नहीं मानते । हम गाय के घी को रसायन मानते हैं, धर्म मानते हैं ।

"घृताज्जायते ग्रायु:।"

घी से ग्रायु बढ़ती है । हमारे यहां उस को प्रोटीन या फैट नहीं कहते । यह हमारा रसायन है । जो गाय का घी नित्य इस्तेमाल करता है उस की न ग्रांखें कमजोर होती हैं न उस के दांत कमजोर होते हैं । 80 साल की उम्र में भी बज्र की तरह उस के दांत मजबूत रहते हैं । तो हम तो यह मानते नहीं हैं कि जैसा कि ग्राप का ख्याल है कि यह मूंगफली से भी ले सकते हैं । बादाम से भी ले सकते हैं, ऐसा हम नहीं मानते हैं । हमारे यहां जो धर्म है धर्म का मूल है गाय का दूध ग्रौर गाय का घी ।

[श्री यशपाल सिंह]

और हमारे यहां ही नहीं, हदीस पाक में र ह हुक्म हुआ है :

"लहमुहादाउन, वसमनुहा दवा उन व लबनुहा शिफाउन ।"

गाय का दूध दवा है, गाय का घी शिफा (रसायन) है लेकिन गाय का गोश्त बीमारी है। तो जिस तराजू पर तोलते हैं आप वह तराजू आपका सही नहीं है ।

आज जो पापुलेशन बढ़ रही है और आप लोग परेशान हैं कि आबादी बढ़ रही है, इस का एक ही कारण है और वह है यह डालडा बनस्पति । बेकार की औलाद पैदा होती रहती है, कीड़े, मकौड़े पैदा होते रहते हैं, लेकिन गाय का घी खाने वालों को ही पुत्रेष्णा होती है, डिजायर फार चाइल्ड, उसमें कारनल डिजायर पैदा नहीं फ़ार दी सेक ग्राफ़ ए चाइल्ड ओनली, लेकिन जो डालडा-कोटोजम खाने वाला है, उस में विषय वासना ज्यादा होती है और उस से फिर, कीड़े-मकौड़ों की तरह औलाद पैदा होती है —

सिंहो बली द्विरद मस्तक मांस भोजी,
जन्मान्तरे अपि कुरुते रतिमेकवारम् ।

सारे जीवन में एक दफ़ा पुत्रेष्णा पैदा होती है और जो पुत्र होता है वह शेर के समान बली होता है । आपका यह पौपुलेशन का मसला हल नहीं हो सकता, जब तक लोग डालडा और कोटोजम खायेंगे, यह तब ही हल होगा जब डालडा-कोटोजम बन्द होगा ।

जैसा मंत्री महोदय ने कहा कि मैं बिल को वापस ले लूं, मैं कैसे वापस ले सकता हूं । मैं भगवान राम का वंशज हूं, राम कह कर वापस नहीं लेते थे , इसलिए इस का वापस लेना असम्भव है, चाहे मुझे इस पर एक वोट मिले, तब भी मैं इस पर वोट कराऊंगा । गांधी जी ने यह कहा था कि गाय की हत्या मेरी हत्या है। गांधी जी ने कहा था कि जिस तरह से जाली रुपया बनाने वाले को सजा दी जाती है, उसी तरह से जाली घी बनाने वाले को सजा दी जानी चाहिए । आप गांधी के इस देश की, स्वामी विवेकानन्द के देश की, स्वामी दयानन्द के देश की इस संतति को खोखला कर रहे हैं, इस से बड़ा महा-पाप और कोई नहीं हो सकता , यह घर पातक है । इसी का यह प्रायश्चित् है कि चीन के हाथ से आप पिटे, पाकिस्तान से आप पिटे, नागा होस्टाइल्ज के सामने आप हाथ जोड़े खड़े हैं, आपकी कोई नीति नहीं है, कोई व्यवस्था नहीं है । इस बात को याद रखियेगा कि अगर राज्य को चलाना है तो —

दण्डः शास्ति प्रजा सर्वा, दण्ड एवाभि रक्षति ।

Shri Shinde: The hon. Member knows that in China, they do not eat even ghee.

श्री यशपाल सिंह : उनकी संस्कृति अलग है, वह बीफ़ खाते हैं, आप बीफ़ कैसे खा लेंगे, वह अपने तरीके से तरक्की करते हैं, वे गो-मांस खाते हैं, लेकिन हम गो-मांस खाकर तरक्की नहीं कर सकते । बहुत से लोग कहते हैं कि तेल क्यों न खाया जाय, लेकिन मैं आप, को बतलाऊं कि दिल्ली की आबो-हवा में मतवातिर 40 दिन तक यदि कोई तेल खा ले, तो उसको प्रमेह हो जाता है, लेकिन असली घी गाय का घी खाने वाला 80 साल की उम्र में भी जवान रहता है। आप हमारे स्पीकर साहब को देखिये, पांच-पांच घंटे तक इस कुर्सी पर बैठे रहते हैं, इसलिये कि उन्होंने आज तक डाल्डा या कोटोजिम को नहीं छुआ है । हमारे डिप्टी स्पीकर साहब को देख लीजिये, उनको भी ऐसी चीजों से नफरत है, वे वेदों को मानते हैं। मेरी उम्र ज्यादा नहीं है– मैं वेद की की इस बात को मानता हूं—

अशीती वर्षो युवा– अस्सी साल का जवान होता है। जिस वेद की संस्कृति को हम

मानते हैं, उसमें 80 साल का जवान होता है। जो ब्रह्मचारी हैं, उनसे बुढ़ापा और मौत दोनों थर थर कांपते हैं, लेकिन मेरे जैसे जो गृहस्थी हैं, जो अधकचरे लोग हैं, उनके लिये यह वेद का हुकम है कि 80 साल का जवान होता है। आप मुझे कोई किताब दे दीजिये, मैं चांदनी रात में पढ़ सकता हूं, मैं चश्मे का मोहताज नहीं हूं, इन्वेस्टीगेशन का मोहताज नहीं हूं। मैं उस घड़ी से पहले मर जाना चाहता हूं, जब मैं डाक्टर को जाकर कहूं कि मैं क्या खाऊं और क्या न खाऊं, किस चीज़ की सब्ज़ी खाऊं, मैं उससे पहले मर जाना अच्छा समझता हूं। जैसे एक प्रोफेसर एम० ए० पास कोई निबन्ध लिख दे और फिर एक मिडिल पास जाकर उस निबन्ध में कोई कलम लगा दे, तो यह एम० ए० पास प्रोफेसर की सबसे बड़ी इन्सल्ट होगी। भगवान ने इसलिये इस मन्दिर को दिया है कि हम धर्म-काम और मोक्ष का पालन करें, उसके साक्षात दर्शन करें। अगर हम इसमें डाक्टर के पास जाकर मशविरा करके खान-पान को जारी करेंगे तो यह विधाता के साथ सबसे बड़ी हिमाकत होगी।

इन शब्दों के साथ मैं माननीय मिनिस्टर साहब से कहूंगा कि काफ़ी तबाही हो चुकी है, पतन हो चुका है, डिफ़ीट हो चुकी है गिरावट की पराकाष्ठा हो चुकी है, ऐसी कोई डिफ़ीट नहीं है जो हिन्दुस्तान के माथे पर न लगी हो, ऐसा कोई कलंक नहीं है जो भारत माता की पेशानी पर न लगा हो, इन 50 करोड़ जनता पर रहमो-करम करके कम से कम डाल्डा और कोटोजम को खत्म कीजिये। इन शब्दों के साथ मैं यह कहूंगा कि मेरे इस बिल को पास किया जाय।

Mr. Deputy-Speaker: The question

"That the Bill to provide for prohibition of manufacture and import of hydrogenated vegetable oils in India, be circulated for the purpose of eliciting opinion thereon by the 1st February, 1967."

The Lok Sabha divided:

Division No 23] **AYES** **[17.20 hours.**

Bade, Shri	Mohammad Yusuf, Shri	Swamy, Shri Sivamurthi
Firodia, Shri	Sharma, Shri D.C.	Yadav, Shri Ram Sewak
Kripalani, Shri J.B.	Shastri, Shri Prakash Vir	Yashpal Singh, Shri
Bhupal Singh, Shri		

NOES

Achal Singh, Shri	Mehrotra, Shri Braj Bihari	Sahu, Shri Rameshwar
Arunachalam, Shri	Mehta, Shri Jashvant	Saraf, Shri Sham Lall
Chaudhuri, Shri D.S.	Patil, Shri M.B.	Satyabhama Devi, Shrimati
Chaudhuri, Shrimati Kamala	Patil, Shri T.A.	Sen, Shri P.G.
Deo Bhanj, Shri P.C.	Pattabhai Raman, Shri C.R.	Sheo Narain, Shri
Deshmukh, Shri B.D.	Prabhakar, Shri Naval	Shinde, Shri
Jena, Shri	Rai, Shrimati Sahodra Bai	Shree Narayan Das, Shri
Kajrolkar, Shri	Rameshekhar Prasad Singh, Shri	Sinh, Shrimati Ramdulari
Kedaria, Shri C.M.	Rane, Shri	Subbaraman, Shri
Lonikar, Shri	Roy, Shri Bishwanath	Tiwary, Shri D.N.
Mantri, Shri D.D.	Sadhu Ram, Shri	Vyas, Shri Radhelal

Mr. Deputy-Speaker: The result of the Division is:

Ayes : 10; *Noes* : 33.

Shri Surendranath Dwivedy: There is no quorum.

Mr. Deputy-Speaker: The question of quorum was not raised in the beginning.

17.20 hrs.

Shri Shinde: Some hon. Members have not voted. They should also be counted. Some have not exercised even

[Shri Shinde]

their right of abstention. They are present here and they should also be counted.

The Minister of State in the Ministry of Law (Shri C. R. Pattabhi Raman): Quorum was not questioned.

Mr. Deputy-Speaker: There is quorum. So, the motion is lost.

The motion was negatived.

17.21 hours

HINDU SUCCESSION (AMENDMENT) BILL

(Amendment of Section 14) by Shri D. N. Tiwary.

Shri D. N. Tiwary (Gopalganj): I beg to move:

"That the Bill further to amend the Hindu Succession Act, 1956, be taken into consideration".

उपाध्यक्ष महोदय, यह प्रस्ताव बहुत साधारण सा है और इसमें बहुत अधिक बहस करने की कोई बात भी नहीं है। सन् 1956 में गलती से या ओवरसाइट से एक विधेयक पास हुआ जो कानून के रूप में आया कि महिलाओं को पति के मर जाने के बाद उसकी जायदाद में पूरा हक होगा। इसमें कोई उज्र किसी को नहीं है अगर उनको पूरा हक मिले, लेकिन उसमें कुछ गुत्थियां आ गईं। किन्हीं सज्जन ने दो विवाह किये और दोनों पत्नियों से उनके सन्तानें हुईं। जब वह पुरुष मर गया तो उनकी विधवा पत्नी को ऐब्सोल्यूट राइट हुआ प्रापर्टी में। मान लीजिये उसने अपने स्टेप सन को हक से वंचित करने के लिये जायदाद को बेचकर अपने लड़के को दे देती है और स्टेप सन को उसके हक से महरूम कर देती है। ऐसी स्थिति में स्टेप सन के पास कोई चारा नहीं रह जाता। कानून में स्थिति यह है कि यदि विधवा बिना लिखा पढ़ी किये हुए, बिना जायदाद को बेचे हुए, मर जाती है तो दोनों लड़कों को बराबर का हिस्सा मिलेगा। लेकिन अगर अपनी जिन्दगी में ही वह ऐसा करे कि स्टेप सन को उसकी जायदाद से महरूम करने के लिये, उसको वंचित करने के लिये, अपनी जायदाद को गलत तरीके से बेच कर के या फर्जी ट्रांस्फर करके अपने लड़के दे देती है और स्टेप सन को वंचित कर देती है, तो साधारण बात है कि उसको रोकने का अधिकार स्टेप सन को नहीं है। इस तरह से बोगस ट्रैन्जैक्शन को रोकने के लिये, फ्राडलैंट सेल को रोकने के लिये, यह बिल लाया गया है।

इसमें यह बात नहीं है कि यदि विधवा के जीवन में उसको कोई जरूरत पड़ जाये तो उसको जायदाद बेचने का हक नहीं है, ऐसी बात नहीं है कि मैं विधवा के हक को महदूद कर रहा हूं, उसको सर्कम्स्क्राइब करना या बांधना चाहता हूं। अपनी जिन्दगी में, अपने खाने पीने के लिये, अपनी जरूरत के लिये वह अपनी जायदाद को जिस तरह से चाहे इस्तेमाल कर सकती है। केवल एक ही शर्त मैं लगाना चाहता हूं कि वह बिना जरूरत के न बेचे या इसलिये न बेचे कि उसके स्टेप सन को उसके हुकूक न मिल सकें। ऐसा न हो कि उसकी जिन्दगी में सारी जायदाद बिक जाय या वह अपने लड़के को दे दे या इस तरह से ट्रांस्फर करे या बिक्री करे जो कि गलत हो और अन्त में उसके अपने लड़के को ही वह मिल जाये। सिर्फ इस चीज को रोकने के लिये यह बिल लाया गया है। जहां तक विधवा के जीवन काल का सम्बन्ध है, उसमें हमें कोई उज्र नहीं है कि उसको ऐब्सोल्यूट राइट है और वह जिस तरह से चाहे उस जायदाद का उपयोग करे, अपने लाभ के लिये, अपनी शारीरिक रक्षा के लिये, तीर्थ यात्रा के लिये, पूजा वृति के लिये। इतनी ही रोक उस पर लगा दी जाये कि उसके स्टेप सन को जो हुकूक होते हैं विधवा के मरने के बाद उसका हक छीना

न जाये । ऐसी बिक्री न हो कि उसके अपने लड़के को जायदाद मिल जाये और स्टेप सन को न मिले।

सिर्फ इतनी ही बात है। कोई अधिक बहस करने की बात नहीं है। यदि वाद विवाद में कोई बात निकलेगी तो अपने राइट आफ रिप्लाई में मैं उसका जवाब दूंगा।

Mr. Deputy-Speaker: Motion moved:

> "That the Bill futher to amend the Hindu Succession Act, 1956, be taken into consideration".

One hour is the time allotted—5 minutes to each Member.

Shri D. C. Sharma (Gurdaspur): I can speak with the utmost impartiality about this Bill like my hon. friend, Shri D. N. Tiwary, the Mover. Both of us are widowers of long standing, and we are not going to leave any widows behind us. The question of cruelty of widows does not arise in our case. Therefore, we can bring to bear upon this Bill a very impartial, dispassionate and objective outlook.

My feeling is that the Hindu Succession Act was passed with a view to bringing about what I may call social justice among Hindus. The Hindu law is a kind of patchwork. It has many by-ways, high-ways, bylanes and alleys. What we did was that we tried to bring about some kind of uniformity in the Hindu succession law.

Sometimes our laws are very defective. We are all imperfect. That is why we bring in amendments. The hon. Law Minister knows it very well that everyday he brings forward amendments to some previous Act.

Shri Tiwary has done a very good thing by saying that that there should be, equality of opportunity, equality of justice, equality of gain between the step-son and the son of a widow who is alive. Unfortunately, the history of step-sons in this country is a very unfortunate one. I think the worst that can happen to any Hindu child is to be the stop-son of any father or mother. These step-sons have always had a very poor treatment at the hands of those fathers who have married a second time and even those mothers whose co-wives died before they where married.

So this Bill seeks to eliminate that kind of social disparity between the son of a widow who is alive and the son of a widow who is dead.

I think our Constitution says that we should have equality in everything, and I think from that point of view also, there should be no harm in accepting it.

The second point is this, that in no case the rights of widows are going to be taken away from them. They can dispose their property when they like. As my hon. friend has said, for going on a pilgrimage, for getting themselves treated when thy are ill, for getting themselves even educated if they want to be educated, they can dispose of their property, but this Bill prevents them from having any kind of bogus transaction which will deprive their step son of his legal right to his share of the property. Wherever the need is legitimate, wherever the cause is just, the widow can dispose of her property, but if she does so only to deprive a step son of that, I think this law will be helpful.

In India as you know, and in every country of the world, the widowers have a very bad habit of marrying again, and some of them marry at a very advanced age also. We should penalise the widower from marrying again. No widower should have the right to marry again, but human nature as it is cannot be forced into doing this kind of thing. Therefore, widowers marry. They have some children by their first wife, some children by the second wife. I have seen some unfortunate persons who have four wives one after another, a series

[Shri D. C. Sharma]

of four wives, and children by all those wives. I call them children first series, children second series, children third series, and children fourth series. How can you bring about some kind of equality between the children of different mothers by the same father? This Bill provides for that.

As I told you, Shri D. N. Tiwary is himself a person who has not been guilty of anything of this kind, and he has brought forward this Bill with very unselfish motives. He is doing so in order that all the children of Mother India may have equal status, equal say in the property left by their father. That is what he wants, and I think, as we live in a socialistic pattern of society, as we are always talking of equality, as we are always talking of elimination of disparities, as we are always talking of reducing the gap between one section of the society and the other, between one person and another person, there should be no objection to this Bill.

I know that the gentlemen who belong to the Ministers come to develop a closed mind, and even if you bring forward a Bill which has very good intentions, which as very desirable objectives, they will ask the Mover to withdraw the Bill. I want Mr. Tiwary to follow the example of Thakur Yash Pal Singh. Thakur Yash Pal Singh did not withdraw his Bill even though he was defeated. In the same way, I would ask him not to withdraw this Bill even though he may be defeated. It is because his Bill laudable, desirable and fruitful social objective. With these words, I commend the Bill.

Shri K. K. Verma (Sultanpur): Mr. Deputy-Speaker, Sir, the principle of this Bill may be laudable but the phraseology is very defective. At the outset, I submit that the absolute right that was given to widows in the Hindu Succession Act of 1956 has not been properly used in this country. We all know that 70 per cent or more of the ladies of this country are illiterate and the absolute right that is conferred on such ignorant and illiterate ladies is misused. There are interested persons who carry them to wrong paths and they are deprived of the property that they inherit from the male. So, I would suggest that in order to ensure that they enjoy an absolute right that has been given to them properly, Government should seriously think of bringing a comprehensive Bill.

This Bill is found to be defective in drafting. The statement of objects and reasons says that by this Bill the widow may not be able to deprive her step son or step daughter of their share by effecting a transfer. So far, so good. But if we examine the phraseology of this Bill it prohibits all gifts.

> "Provided that except the transfers made *bona fide* and for consideration, all other transfers made by a Hindu widow after the commencement of the Hindu Succession Act, 1956, with a view to prejudice the claims of her step-sons or step-daughters shall be void."

Any transfer which is not for consideration would be prohibited in this Bill is passed. Supposing a widow who has no step son or step daughter wants to make a gift, she cannot do so. The aims and objectives of this Bill are limited. But the Bill as it is covers a very wide field.

The Hindu Succession Act was passed in 1956 and certain transfers must have been made in the ordinary course. These transferees have got a vested interest in the property transferred to them. It is unjust now to pass a Bill making these transfers void. You cannot do this. It may also be that the original transferees may be dead.

There may be their transferees or there may be successors or heirs who would also be divasted of that property. So, I think that it is a very

sweeping Bill as it declares all the transfers that have taken place up to this time to be void. It would surely, as I said, cause great injustice to the transfers that have already been made i.e. to the transferees, their successors and other representatives. So, if the Government accepts the principle that underlies this Bill, I would request the Government to bring forward another Bill which merely prohibits transfers in order to defeat the rights of the step-sons and step-daughters.

Shri D. C. Sharma made a point that certain persons have married many wives, but he need not have any apprehension on that point because, now a person cannot marry another wife in the lifetime of the wife whom he has first married. So, there is no question now of marriages in the lifetime of the existing wife. Therefore, that apprehension is baseless.

With these remarks, I would suggest to my hon. friend Shri Tiwary to withdraw the Bill.

श्री बड़े (खारगोन) : उपाध्यक्ष महोदय , मैं इस बिल का विरोध करता हूं । इस बिल के ग्राबजेक्टस एंड रीजन्ज में कहा गया है कि अगर किसी हिन्दू विडो के दो पुत्र हैं, एक डिसीज्ड को- वाइफ का और दूसरा उसका अपना, तो वह अपने पुत्र की फेवर में अपने शेयर को गिफ्ट या बोगस सेल कर देती है, जिससे उस के स्टेप-सन के साथ यह बड़ी ज्यादती और अन्याय होता है कि वह अपनी पैतृक सम्पत्ति के एक बड़े भाग से वंचित कर दिया जाता है, जो कि उस को प्राप्त होगी । इस बिल में हिन्दू सक्सेशन एक्ट, 1956 के सैक्शन 14(1) के साथ यह प्रोवाइजो जोड़ने के लिए कहा गया है :

"Provided that except the transfers made bonafide and for consideration, all other transfers made by a Hindu widow after the commencement of the Hindi Succession Act, 1956, with a view to prejudice the claims of her step-sons or step-daughters shall be void."

1956 से पहले हिन्दू विधवाओं को सम्पत्ति में कोई राइट नहीं था । उस समय यह देखा जाता था कि उस को लीगल नेसैसिटी है या नहीं , जिस के परिणामस्वरूप काफी मुकदमे चलते थे । इस में जो ये शब्द हैं, "प्रैजुडिस दि क्लेम्ज आफ स्टेप-सन्ज और स्टेप-डाटर्ज", इन से कई उलझनें पैदा होंगी और मुकदमे बाजी में वृद्धि होगी । आखिर "प्रैजुडिस दि क्लेम्ज" का अर्थ क्या है? 1956 के कानून के अनुसार महिलाओं को वही अधिकार दे दिये गये हैं, जो कि पुरुषों को प्राप्त हैं । एक प्रजातंत्र और सैकुलर स्टेट में महिला और पुरुष के राइटस में कोई अन्तर नहीं होना चाहिए । यदि हमारा यही उद्देश्य है , तो जब पुरुष किसी को भी अपनी सम्पत्ति ट्रांसफर कर सकता है, तो फिर केवल महिला पर इस बारे में कोई प्रतिबन्ध लगाना अनुचित है ।

इस बिल में हिन्दू सक्सेशन एक्ट का जो उद्धरण दिया गया है , उस से यह स्पष्ट है कि हिन्दू फीमेल जो कोई भी प्रापर्टी एक्वायर करेगी, वह उस की फुल ओनर होगी, लिमिटेड ओनर नहीं । जब महिला को सम्पत्ति की फुल ओनर शिप, पूर्ण स्वामित्व दे दिया गया है, तो उस को उस सम्पत्ति को ट्रांसफर आदि करने का अधिकार क्यों न हो--वह अधिकार उसको अवश्य मिलना चाहिए ।

बिल के मूवर महोदय, ने इस बिल में ये शब्द रखे हैं : "प्रोवाइडिड दैट एक्सैप्ट दि ट्रांसफर्ज मेड बोनाफाइडी एंड फार कनसिडरेशन. . . . ." इसका अर्थ यह है कि कोई महिला "बोनाफाइडी" और "फारकनसिडरेशन" ट्रांसफर के अतिरिक्त और कोई ट्रांसफर नहीं कर सकती है । चूंकि हिन्दू सक्सेशन एक्ट में महिलाओं

[श्री बड़े]

को सम्पत्ति पर एब्सोल्यूट राइट दे दिया गया है, इस लिए यह प्राविजन उस के विरोध में जाता है। उस एक्ट के सैक्शन 14 में कहा गया है कि स्त्रीधन भी प्रापर्टी में इन्क्लूड होगा। अगर स्त्रीधन किसी महिला की प्रापर्टी में इन्क्लूड हो जाता है और वह उस को ट्रांसफर नहीं कर सकती है, तो यह बहुत बड़ा अन्याय होगा।

माननीय सदस्य ने इस बिल को विद रेट्रोस्पेक्टिव इफ़ेक्ट लागू करने के लिए कहा है। ऐसा करने से पिछले ट्रांस्फ़र्ज पर भी प्रभाव पड़ेगा। इस लिए मैं इस का विरोध करता हूं।

देश ने यह मान लिया है कि स्त्री और पुरुष को सम्पत्ति के सम्बन्ध में समान अधिकार प्राप्त हैं। जब स्त्री को सम्पत्ति पर एब्सोल्यूट राइट प्राप्त है, तो उस को उस के ट्रांसफ़र का भी पूरा अधिकार होना चाहिए। इस लिए इस प्रकार का कानून बनाना ठीक नहीं है।

प्रापर्टी दो प्रकार की है : लैंड की प्रापर्टी और हाउस की प्रापर्टी। हर एक स्टेट ने इन दोनों प्रकार की प्रापर्टी के सम्बन्ध में अलग अलग कानून बनाये हुए हैं। इस कानून के पास करने से कई प्रकार की पेचीदगियां पैदा हो जायेंगी।

इस बिल को पास करना स्त्रियों के प्रति घोर अन्याय होगा। इस से लिटिगेशन भी बढ़ेगा और इस कारण लोगों को कोर्टस में बहुत पैसा खर्च करना पड़ेगा। इस बिल के हिन्दू सक्सेशन एक्ट ऐक्ट के प्रिंसिपल्स का विरोधी होने के कारण मैं इसका विरोध करता हूं।

श्री श्रीनारायण दास (दरभंगा) : उपाध्यक्ष महोदय, मेरे मित्र श्री डी० एन० तिवारी, ने हिन्दू उत्तराधिकार कानून में संशोधन करने के लिए जो विधेयक उपस्थित किया है, वह एक महत्वपूर्ण सवाल उठाता है। जैसा कि अभी माननीय सदस्य ने कहा है, 1956 में जो हिन्दू उत्तराधिकार कानून पास किया गया, उसमें इस सिद्धान्त को स्वीकार किया गया कि सम्पत्ति के अधिकार के सम्बन्ध में पुरूष और स्त्री में कोई फ़र्क नहीं होना चाहिए और दोनों को समान अधिकार प्राप्त होने चाहिएं। अगर हम इस संशोधन को मान लेते हैं, तो उस सिद्धान्त पर बहुत भारी आघात पड़ता है। अगर किसी पुरुष के चार बेटे हैं, तो भी उसको पूरा अधिकार है– जहां तक कि उसको सम्पत्ति में अधिकार प्राप्त है– कि वह अपनी सम्पत्ति को किसी को भी दे सकता है, बेच सकता है, विल कर सकता है और उसके उस अधिकार में उसके बेटे हस्तक्षेप नहीं कर सकते हैं। मिताक्षरा कानून में बेटों को भी अधिकार होता है, लेकिन बाप को जहां तक सम्पत्ति में अधिकार प्राप्त है, उस अधिकार को बरतने में वह उस सम्पत्ति को किसी को भी बेच सकता है, विल करके दे सकता है, मुफ्त दे सकता है और दान में दे सकता है। जब पुरूष को सम्पत्ति पर इतना एब्सोल्यूट अधिकार प्राप्त है, तो एक महिला को उसके पति के मरने के बाद जो अधिकार मिल जाता है, अगर उस पर यह रोक लगा दी जाये कि वह अपनी सम्पत्ति को कनसिडरेशन के लिए ही दे सकती है या बोनाफ़ाइडी तरीके से ही दे सकती है और वह उसको अपने बेटे को नहीं दे सकती है, तो यह उचित नहीं होगा। जिस तरह पुरुष को यह अधिकार है कि वह किसी को भी अपनी सम्पत्ति दे सकता है, उसी तरह महिला को भी यह अधिकार होना चाहिए कि वह अपनी सम्पत्ति को जिस तरह से चाहे बांट सकती है, दे सकती है, बेच सकती है, सब कुछ कर सकती है। इसलिए मैं समझता हूं कि बात तो जो तिवारी जी ने सदन के सामने रखी वह कुछ ऐसी बात है कि एक लड़का है जो पहली स्त्री से पैदा हुआ और एक लड़का है जो दूसरी स्त्री से पैदा हुआ और उसकी मां

जीवित है तो मां स्वाभाविक है कि अपने बेटे को ही सम्पत्ति दे गी। लेकिन वह जिस पुरूष की वह पत्नी है और वह पुरूष देखता है कि मेरे मरने के बाद यह सम्पत्ति तीन भाग में बट जाएगी, एक भाग मेरी पहली व्याहता स्त्री के लड़के को मिलेगा और दो भाग उसको मिल जायेंगे तो पुरूष को ही इस बात का ख्याल करना चाहिए अपनी जिन्दगी में कि वह स्वयं अपने मरने के पहले अपनी जायदाद के बारे में विल कर जाये कि जिससे कि दोनों बेटों के अन्दर किसी प्रकार का भेद न हो। यह पुरूष का काम है। पुरूष को करना चाहिए। लेकिन अगर पुरूष नहीं करेंगे तो उसके मरने के बाद उसकी पत्नी को जो अधिकार हुआ उस पर किसी प्रकार की रोकथाम लगाना मैं समझता हूं कि जिस सिद्धांत पर यह उत्तराधिकार कानून बना है उसके खिलाफ होगा। इसलिए मैं इसका विरोध करता हूं कि ऐसा नहीं होना चाहिए।

श्री शिवनारायण (बांसी) : माननीय उपाध्यक्ष महोदय, मैं तिवारी जी की सराहना करता हूं। उनकी ईमानदारी की सराहना करता हूं और उनकी नेक नीयती की सराहना करता हूं। उन्होंने बड़ा न्यायोपूर्ण और उचित अमेंडमेंट पेश किया है इस हाउस के अन्दर। मैं आपकी इजाजत से उसकी व्याख्या करना चाहता हूं। इसमें स्टेटमेंट आफ आबजेक्ट्स ऐंड रीजन्स में बहुत साफ दिया हुआ है। पुरुष के मर जाने के बाद विडो के नाम जायदाद आती है और सौतेले बेटे के साथ जो व्यवहार होता है उसका मान्यवर, मेरी जिह्वा में इतनी शक्ति नहीं है कि उसका वर्णन किया जाय। आये दिन समाज में जितने कुकर्म हो सकते है वह किसी विधवा से बाकी नहीं हैं। विधवायें जिनके नाम जायदाद हो जाती है सौतेले बेटे के साथ जो अन्याय, जो अधर्म और अत्याचार करती हैं, आपकी इजाजत से कहना चाहता हूं कि बड़े बड़े लोग यहां पर ऊपर भी बैठे है, आफिसर्स भी हैं, हाउस भी बैठा हुआ है और पंडित लोग बैठे हुए है, अपने कलेजे पर, दिल पर हाथ रखकर सोचें कि जितनी बात मैं कह रहा हूं उसमें कहां अन्तर है? आज एक बेटा है, मां उसकी मर गई और जवान औरत को ब्याह करके उसका बेटा लाता है तो वही नयी बीबी उसको दिखाई देती है और बेटा नहीं दिखाई देता है कि मेरे मरने के बाद वही बेटा ही मुझको फूंकेगा, वही पार लगायेगा। वह तो मोह माया में मस्ती में मस्त रहता है और उसकी परवाह नहीं करता है। पंडित जी ने बिल्कुल ब्राह्मणोचित काम किया है जो न्याय की बात को सदन के अन्दर उपस्थित किया है। मैं तहेदिल से उनकी सराहना करता हूं और समझता हूं कि बहुत पवित्र काम उन्होंने किया है। किसी भी विधवा को जायदाद दी जाय, मैं उसका विरोधी नहीं हूं लेकिन जम्मू और काश्मीर को आपने क्यों बरी कर दिया है? जम्मू और काश्मीर में भी यह लागू होना चाहिए। यह भारतीय संस्कृति भारत के इस सिरे से उस सिरे तक एक होनी चाहिए। कन्या कुमारी से लेकर काश्मीर की चोटी तक भारत एक है। उसमें कोई अन्तर नहीं है। मैं आपसे कहूंगा कि तिवारी जी के विचार की हम भूरि भूरि प्रशंसा करते है और इसलिए करते हैं कि इसमें न्याय दिखता है, जहांगीरी इंसाफ दिखता है कि मेरे मरने के बाद . . . (**व्यवधान**) . . . मेरी नयी बीबी हो और एक बड़ा बेटा पहले का हो जो वह बेचारा जो होगा, उसका उस नयी बीबी के नये बेटे के साथ कोई संतुलन नहीं होगा। वह बिलकुल भिखारी की तरह रहता है, न जाड़े में रजाई मिलती ई, न ठीक खाना मिलता है, न उसकी फीस जाती है, न किताबें मिलती हैं। वह फेल होता है। आवारा होता है। मैं उन बापों से दरख्वास्त करता हूं जो दो बीबियां रखते है कि वह उस बात को सोचें यह बड़ा अभिशाप है। इस भारत के अन्दर इस भारत माता के कलेजे पर एक कलंक है। एक ही बीबी रखें ताकि आने वाली संतान उनको कोसे न। इन शब्दों के साथ मैं तिवारी जी की सराहना करता हूं और हर पुरुष से कहता हूं कि एक ही बीबी

[श्री शिवनारायण]

रखें, दो बीबी न रखें। इसलिए इस अमेंडमेंट की मैं सराहना करता हूं।

श्री बाल्मीकि (खुर्जा) : उपाध्यक्ष महोदय, मैं पंडित डी० एम० तिवारी जी के इस संशोधनात्मक विधेयक का और उसके अन्दर प्रस्तुत आत्मा का समर्थन करता हूं। 1956 में हिन्दू उत्तराधिकार के विधेयक के अनुसार विधवा को जायदाद के अन्दर चाहे वह चल थी या अचल थी, एक पूर्ण स्थान प्राप्त हुआ है। उससे इन्कार नहीं किया जा सकता। आज भी यदि हम सोचें तो विधवाओं के साथ सामाजिक दृष्टि से अन्याय होता है और उनको वह सामाजिक न्याय जो प्राप्त होना चाहिए किसी हद तक प्राप्त हुआ है, लेकिन पूर्णतया प्राप्त नहीं हुआ है। 1835 में सती प्रथा चलती थी। उस वक्त भी राजा राम मोहन राय जी जैसे उदान्त समाज सेवी ने उनकी समस्या की ओर ध्यान आकृषित किया था। उस समय से बराबर जो समाज सेवी हैं उनका ध्यान इस ओर जाता रहा है और अब भी एक विचार ऐसा है कि जो विधवा है, वह चाहे व्याहता है या दूसरी दृष्टि से जिसे हम करीं हुई कहते हैं या दूसरी दृष्टि से जो रखी जाती है उसे भी अधिकार कानून की दृष्टि से होना चाहिए। इस विधेयक का जो उद्देश्य है वह परम निरीह और स्वार्थरहित है। जैसा कि स्टेटमेंट आफ आबजेक्ट्स एंड रीजन्स में बयान किया है :

"The object of the Bill is not to cause any hardship to the widow because she will continue to have full power to make bona fide transfer for consideration but to prevent her from making gifts or malafide sales in favour of her own son after ignoring the step-son."

इस की भावना का मैं समर्थन करता हूं। बच्चे दो देवियों से हो सकते हैं और अधिक देवियों से भी। हमारे देश में पत्नी रूप देवी की प्रथा है। ऐसी भावना होनी चाहिए, एक ही देवता होना चाहिए चाहे विष्णु हों या शिव हों, एक ही नारी होनी चाहिए चाहे वह काली हो या गोरी हो कैसी भी हो। लेकिन उस भावना को माना नहीं जाता है। मनुष्य वासनामयी प्रवृत्ति के कारण एक पर वह हाथ रखता है और दूसरी और भी जाता है। तो यह तो मनुष्य की प्रवृत्तियां हैं। उसकी निन्दा की जाती है। लेकिन निन्दात्मक दृष्टि से हम कुछ और सोच सकते हैं। हम आज भी देखें तो समाज के अन्दर जो माता रहित बच्चे हैं, विमाता के बच्चे हैं, स्टेप मदर के बच्चे हैं उन के साथ घोर अन्याय होता है। यह प्रश्न कोई व्यक्ति विशेष का नहीं है। एक विशेष स्थिति का है कि जिस स्थिति में किसी मनुष्य के चाहे दो पत्नियां हैं, और एक पत्नी से एक बच्चा है और दूसरी पत्नी से एक बच्चा है। यदि उनके पिता के देहान्त के बाद कोई भी जायदादी प्रश्न खड़ा होता है तो जो उचित बात यह कही गई है कि उसमें विमाता की जो सन्तति है, लड़का या लड़की है उस का भी अधिकार होना चाहिए यह कोई गलत नहीं कहा है, तिवारी जी ने सही कहा है। कानून बनते है, बनते रहते हैं, उनमें संशोधन भी चलते है, चलते रहते हैं, लेकिन बहुत से भय जो एक मस्तिष्क में जड़ते चले जाते हैं उन भयों को दृष्टि में रखकर यह सोचा जायगा कि केवल वही न्यायसंगत है, मैं उसे न्यायसंगत नहीं मानता हूं। इस लिए मैं यह जरूर चाहता हूं कि विमाता की जो सन्तति है, उसका स्थान जायदाद में अवश्य होना चाहिए, इस ओर सदन ध्यान दे। माननीय मंत्री जी यहां बैठे हुए हैं, कानून की दृष्टि से क्या हो सकता है, क्या नहीं हो सकता है, इसके बारे में वह विचार करे। यदि वह यह समझते हैं कि यह विधेयक और यह संशोधन इस समस्या पर काफी प्रकाश नहीं डालता है तो उनको कोई कौम्प्रीहैन्सिव संशोधात्मक बिल इस सदन में लाना चाहिये, जिससे कि सारी स्थिति सामने आ सके। मैं इस बात को मानने वाला हूं कि विधवा के साथ, अन्याय नहीं होना चाहिये। और जैसा कि पुरूषों को अधिकार है, उसी तरह से नारियों को भी सम्पत्ति के बारे में

अधिकार होना चाहिए। लेकिन पुरुष यदि नहीं रहता है और विधवा रहती है, तो विधवा को यह अधिकार नहीं होना चाहिए कि वह सम्पत्ति को किसी को दान दे सके या बेच सके, उस पर रोक लगनी चाहिए तथा विमाता की जो संतति है उसकी ओर भी ध्यान देना चाहिए।

18 hrs.

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूं तथा मंत्री जी का ध्यान प ओर आकर्षित करता हूं कि विमाता की संतति के साथ कोई किसी प्रकार का अन्याय नहीं होना चाहिए।

Mr. Deputy-Speaker: Shri Pattabhi Raman.

Shri Raghunath Singh *rose*—

The Minister of State in the Ministry of Law (Shri C. R. Pattabhi Raman): Sir,....

Mr. Deputy-Speaker: He can reply afterwards. We will take up the half-an-hour discussion.

Shri D. N. Tiwary: But one hour was allotted for this Bill and that is not over.

Mr. Deputy-Speaker: This will be continued afterwards, after the half-an-hour discussion finishes. At 6 o'clock we have to take up the half-an-hour discussion.

18.03 hrs.

RE: M.P. FLATS*

Shri Hem Barua (Gauhati): Sir, I rise to raise a half-an-hour discussion regarding M.P. flats.

There are two sets of MP flats. One set is managed by the two Houses of Parliament and the other is under the direct responsibility of the works and Housing Ministry. May I draw the attention of the hon. Minister to the fact that housing has become a great problem in the capital? There is an acute shortage of housing facilities in the capital and, at the same time, the rents of privately owned houses are so high that it is impossible for lowly paid Government officials to hire them. These are beyond the means of the lowly paid Government servants. That is why a policy or principle is to be evolved that can do justice to all concerned, particularly to those people who are at the lower rungs of Government employment.

18.04 hrs.

[SHRI SHAM LAL SARAF *in the Chair*]

May I say that the present Minister has evolved many a principle in order to rationalise the system, but unfortunately in the process of this rationalisation favouritism has come in? Even in his attempt to fix the criterion for the date of priority for eligibility for Government servants, he has altered the existing rules as many as six times. But then somehow or other the situation has not at all improved.

He made another change in relation to out-of-turn allotments. In June, 1962 out-of-turn allotments on grounds other than medical were abolished. But in reply to a question he has said that out-of-turn allotments were made to some 20 persons, might be on medical grounds.

Then, in June 1964 even this principle of allotment on medical grounds was also abolished. Significantly, orders abolishing out-of-turn allotments on medical grounds were given retrospective effect and the claims of persons—and the number of these persons is very limited—whose cases were recommended by the medical committees of the Willingdon and Safdarjung hospitals and to whom allotments of accommodation were sanctioned by the allotment committee that consisted of officers of the Ministry, were surreptitiously overlooked or bypassed.

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*Half-an-hour discussion.

[Shri Hem Barua]

Then, there was another decision not to entertain requests for out-of-turn allotments on any ground whatsoever. But out-of-turn allotments have been made in numerous cases. The principle was evolved not to make out-of-turn allotments. But this principle has been violated and out-of-turn allotments were made in numerous cases and when out--of-turn allotments weer made in numerous cases violating that principle, the only answer that the hon. Minister has given is that these allotments are made on *ad hoc* basis—this is what he has said in reply to a question in the other House also—or in view of special circumstances. In fact, I am afraid, these allotments were made on extraneous considerations and not due to any genuine hardship. This is my apprehension. Now, an officially admitted figure of such allotments is 31 although I have an apprehension that the actual figure might be much higher than the officially admitted figure.

Another loophole, may I say, for making out-of-turn allotments has been found with the surrendering of M.P. flats to the General Pool. The General Pool is meant for allotment to Government officials only. From time to time, some M.P. flats are surrendered to the General Pool either because of their being surplus to M.Ps. requirements or with the consent of the two Houses Committees of Parliament. This is what is done. But, somehow or other, in reply to a question, the hon. Minister said that 20 such allotments were made and in reply to a question in the other House he admitted that he is yet to evolve a principle for out-of-turn allotment. He is yet to evolve a principle. After making allotments to these highly paid Government officials--their designations are also given in reply to a question--how is it possible for him to evolve a principle now? Even if he is dead certain of evolving a principle, how can that principle be implemented passes my comprehension when the allotments of M.P. flats have been on an out-of-turn basis.

I am afraid, the Minister's answer is evasive by saying that these M.P. flats have not been treated at par with other residential accommodation meant for Government officials and that they have been allotted temporarily on an *ad hoc* basis. The Minister has tried to evade the real issue as to what are the principles or the basis that have been followed in allocating these flats. Here also, in reply to a question in the other House, he has said that this is done on an *ad hoc* basis and that whenever an M.P. makes a request, I mean, the occupants of those flats might be asked to withdraw from those flats. But this is a very far off thing, I am afraid.

It is also very clear from the answer that the allotments have not been given to persons entitled in regular course. This is one of my charges. In the absence of any reasons or basis specified for the allotment, it is also very clear that no fair or equitable principles have been followed and that allotments have been made just to oblige certain officials and, may be, to have some political or personal motive. My objection is this. I have great respect for Mr. Khanna and, at the same time, I am afraid that behind his back, there might be some cases of favouritism where his officials have taken an advantage and allotted flats to undeserving people, the highly paid Government officials—they can, I mean, have privately-owned houses by paying the rents because they are highly paid people—thereby neglecting the lowly paid Government servants. They cannot reach these officials also. On the one hand, the Minister has been rejecting the requests from persons involved in real hardship and, on the other hand, these allotments have been made on arbitrary basis either by him or by his officials—I think it would be better to say, by his officials. In fact, he has turned down the requests of those. I know of certain persons who are deserving persons. The requests

of certain government employees, even on medical grounds or even on certain relevant grounds, were turned down and people who are highly paid were accommodated. That is the most difficult problem. I know of certain cases. They were recommended by some persons on medical grounds; their cases were recommended even by the doctors or medical grounds; even then, their cases were not considered. All the officials to whom flats have been given are highly paid ones who could otherwise also afford a private accommodation. This thing has to be taken into account because from the list of 20 persons that the Minister has kindly furnished us, this is evident because their designations are also given. Of course, at the same time I must point out that in the case of certain persons—I know of at least two—the allotment is shown as 1966, although they have been occupying the same flats since 1962. There are two cases.

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): There was only one case.

Shri Hem Barua: I know the names of those two persons.

Shri Mehr Chand Khanna: Please send them to me.

Shri Hem Barua: Out of 20 flats, 9 have been given to doctors while the Minister himself is responsible for the abolition of the separate pool called the medical pool, meant for doctors. The Minister himself has abolished the special pool called the medical pool, but here out of 20 persons, I find that 9 are doctors. Here in this case also, there is a trouble. There are some other doctors who are senior to these doctors and whose services are more essential from the point of proximity to the M.Ps.; their cases are neglected whereas 9 other doctors out of 20 who are enjoying the benefit of out of turn allotment have been favoured with this. Possibly it is because of the tussle that Mr. Khanna's Ministry had with the Health Ministry. There was a tussle like that as to who would manage the affairs.

Shri Mehr Chand Khanna: I am a harmless man.

Shri Hem Barua: I know that. When there is a lady in the Health Ministry, you cannot afford to be harsh. (*Interruptions*). If doctors have to be treated as a special class, then why (i) the separate medical pool was abolished; and (ii) requests from other doctors who are, as I have said, senior and superior and whose services are more essential from the point of proximity to M.Ps. were not entertained.

Mr. Chairman: The hon. Member may try to conclude now.

Shri Hem Barua: I have spoken only for ten minutes. I suppose I will get fifteen minutes.

Mr. Chairman: He has spoken for 13 minutes. He may take two more minutes.

Shri Hem Barua: The out of turn allotments on medical grounds were also abolished following a tussle between the Health Ministry and the Works and Housing Ministry, as I have said, as the letter wanted to have its last word in every case after the Medical Board had given its recommendation. The contention of the Health Ministry was that once the medical experts' opinion on the desirability of giving allotment was given, it should be complied with finally. But that has not been done.

Prior to allotment of M.P. flats to the officials concerned, some of them were residing in private accommodation. I know of an officer who has been enjoying the benefit of occupying an M.P's. flat for the last twenty years and then whenever he is asked to remove himself to another residence or accommodation given by the Government, he does not want to go there because of the cheap rent that he pays in the M.P's. flat. It has become almost impossible for the hon. Minister to eject him out of the flat.

It is also understood that the House Committees of both the Houses have been feeling agitated because when

[Shri Hem Barua]

M.P's. flats are surrendered to the General Pool and when they are given to certain other government officials, the House Committees of the two Houses of Parliament were not informed. That is why, my information is that these two House Committees are also very much agitated. As I have already said, two names are given in the list of 20, and those two persons have been occupying the flats much earlier than what is shown against their names. At the same time, in the case of certain officials whose names have also been given in the list, their designations are also not correctly given. The above facts are nothing but a sad commentary on the functioning of the Government. It is growingly becoming a feature that the claims of persons involved in genuine hardship are ignored and favours shown to those whose cases on merits are hardly deserving. This is my contention because the legitimate cases of people are being ignored. And in spite of the Minister's attempt to rationalise the whole system, favouritism has somehow or other crept into the system and it has vitiated the system.

About the other type of flats occupied by Members of Parliament, I do not want to say anything because in that case I shall have to wash dirty linen in public, which I do not want to do.

Shri Bade (Khargone): May I know whether before the allotment of these M.P's. flats to the officers concerned, those officers were occupying private houses in Delhi? There are two instances given in this regard. One is that of an Assistant Director of Estates and the other is a Joint Secretary in the Ministry of Education. I do not want to name them here. But I want to know whether they were occupying private houses in Delhi. When they were given this allotment, what was the justification for giving them these flats?

Shri S. M. Banerjee (Kanpur): The hon. Minister was kind enough to allot those quarters which were actually meant for Members of Parliament to very high-paid officials. I would like to know the circumstances under which the cases of those Government employees who were entitled to quarters out of turn on medical grounds were ignored. I would like to know why the rule has been completely ignored in their cases.

Shri Mehr Chand Khanna: I am grateful to Shri Hem Barua for having brought up this question before the House. He has dealt with two aspects of the problem; one is the general pool and the other relates to those particular flats in North and South Avenues which are a part of the pool for Members of Parliament. I shall deal with the latter category first because the discussion has arisen out of the reply that I have given to the hon. Member.

When I took charge of this Ministry about four years ago or four and a half years ago, there were three kinds of pools and those three kinds of pools exist even today. One is the general pool which is meant for government servants. The second is the pool which is controlled by the House Committees of the two Houses, and this consists of the houses or residences or units which are allotted to Members of Parliament. The third is the pool which was then called and which is even now being called the pool for the leading parliamentarians. This phrase has not been accepted and has been resented but anyhow that is what the position is.

As a Minister, I only allot houses to those officers who are eligible for allotment in the general pool. The Houses meant for Members of Parliament are allotted by the two respective committees of the Houses. My Ministry does not come into the picture at all. my unfortunate position as a Minister is that if Shri Hem Barua makes a complaint about the misuse of a servant's quarter or a garage or a residence . . .

Shri Hem Barua: Or the flat itself.

Shri Mehr Chand Khanna: . . . or the flat itself, I have to go into the whole matter and see what action can be taken. It is not that I am responsible; it is not that I made the allotment; the allotment is made by the House Committee of each House, but I have to perform the painful duty of evicting the person concerned, as a Minister I have to accept that responsibility.

Shri Hem Barua: But he has not so far.

Shri Mehr Chand Khanna: I did not interrupt him. I have great respect for him. Let me proceed.

The other is the pool, as I was saying, for leading parliamentarians. Allotment from that pool is made on the recommendation of the Minister of Parliamentary Affairs with the approval of the Prime Minister.

Now I told you a little while ago that at that time, 4½ years ago, the number of units in the pool was not adequate to meet the requirements of the M.P's. During last 4½ years, a number of units have been added in North Avenue itself, in the Vithalbhai Patel House and a number of units which did not form part of the M.P's. pool, whether they are on Rakabganj Road, Talkatora Road or Gurudwara Road, have also been added on to the pool. The result has been that after having given 100 per cent satisfaction for allotment of accommodation to M.P's., we even have a surplus today.

Mr. Chairman: No Member is without a quarter.

Shri Mehr Chand Khanna: No Member is without a quarter. During the last one year or two years, accommodation has not been refused to a single M.P. whenever a requirement has been made. In fact, I have added between 50—60 units within the last two or three years. It is my duty to look to the needs and attend to the difficulties of my colleagues. Now these quarters or flats in North Avenue and South Avenue became surplus to the requirements of M.P's. Whether they have gone to better houses, whether they have gone to the Western Court, whether they have gone to Vithalbhai Patel House, these have become surplus to the requirements of the two respective House Committees.

Now, when these quarters are made available to me one condition is laid down, and that is that 'You will have to make these quarters available to the respective House Committees for allotment to M.P's. even at short notice'. Unless it is completely surrendered, it cannot be part of the general pool which I can allot to officers in certain pay groups. We have a system and I have been following that system.

I may revert here a little to the position of the General Pool. I have got only 37,000 or 38,000 houses in the general pool. There are 70,000 government servants on the waiting list and they have been on the waiting list for quite a long time. A majority of these people whose percentage of satisfaction is very low belong to that group, of which a mention has been made by Shri Hem Barua. They belong to the lower bracket. What has been happening uptil now is, whether under the pretext of medical grounds or pushing the people from the top to the bottom, 6 comes to 5, 5 comes to 4 and 4 comes to 3. The people who are on the top, who have got satisfaction to the extent of 70, 80 or 90 per cent, they do not stand in the queue, but those who are further down, even their allotments are pushed down. So I passed an order that I shall not allow a thing like that.

As regards medical grounds, I do not want to go into that history. But I am prepared to say that if I have to justify my action before the Public Accounts Committee or audit, I try and look into each case. I admit that I can make a mistake, but I can assure you and the House that the mistake would be a *bona fide* one which will

[Shri Mehr Chand Khanna]

neither be on political considerations nor on personal considerations. But when you are dealing with human distress, when you are dealing with government servants who have to go and take houses after paying very heavy rent in Delhi, it becomes very difficult where to draw the line, which case deserves the discretion of the Minister. In fact, objections have been raised, but if any case is brought to my notice where it is felt that we have done that on any political or personal motives, or there are *mala fides* involved, I can assure you that I am prepared to look into it.

In the cases of these flats which have become available, I admit that the allotments have been made on, when you call it an *ad hoc* basis, or an out-of-turn basis, or you might even say on no rational basis, I admit and concede it, for the obvious reason that this allotment is only of a temporary nature, it is made to an officer on the clear understanding that at short notice he shall be required to vacate the premises and he shall have no relief in the matter at all. In the case of quarters allotted to Government servants from the general pool, the Government servant has got security. As long as he goes on paying the rent, as long as he is not dismissed, his services are not dispensed with, or he is not taken to the Nigambodh Ghat, he stays in that quarter. We have laid down a specific rule for allotment of quarters in Patudi House. We have done it for Vithalbhai House. We have laid down some kind of criterion, whether we have pay or length of service, but for the quarters which form part of the pool of M.P's., no categorisation has been done up till now. So, I can tell the House that as far as these quarters are concerned in the North and South Avenues, I am going to have a proper procedure, and I shall see that quarters are allotted in accordance with proper procedure. So, whatever has happened in the past has not happened on this account that we were trying to show favour to somebody.

But one thing that I must tell the House is this, that if I make a regular allotment to an officer, then it will not be very easy for me to get these quarters vacated at short notice. I am even prepared to go a little further, and tell that officer that after this allotment has been made on a regular basis according to either pay scale or length of service, if he is required to vacate that quarter to meet the requirements of a colleague of mine at the request of the House Committee concerned, I shall give him a commitment that I shall see that he is not thrown on the road side—that is, if it is a regular allotment. Then, naturally we will have to accommodate him when his quarter is required.

A reference was made to the officers who own houses and have received allotment from the general pool. That is a fact. We took a decision a couple of years ago, three years ago, and I did it with the sole object of saving as many houses as we could from those officers who own houses in Delhi. They are getting good rents, and on top of it they are occupying Government accommodation, which I felt was not correct. But then the question came of certain commitments given to the officers in the Defence Services and other services where, according to the Ministry of Law, it would have been discriminatory to have an order of that nature. The matter went before the Cabinet twice, and we had to rescind that order. Whatever the fact may be, whether it is 500 or 1,000 houses, the fact remains that we had to rescind the order, and every Government servant, whether he owns a house or not, is entitled to the allotment of a house from the general pool in accordance with the procedure laid down.

If we want to eradicate favouritism, if we want to help cases which require consideration, cases of which mention has been made by Mr. Hem Barua, and not a day passes when I do not receive letters both from my colleagues as Members of Parliament and Minis-

ters where human distress is brought to my notice, I do what I can. It is not humanly possible for me to deal with all the cases, we have to rationalise the whole thing when we can do better. Now, a man knows on the 25th of every month whether he is going to get a quarter or not. This year, I have said this before in this House, my funds have been cut to the extent of 100 per cent. I have not got a single penny from the Ministry of Finance for the construction of houses. I am finishing in a minute, Sir. If more funds are given to me, naturally we can help the poor and we can help all those persons who are in the lower rungs of the ladder. As long as more houses are not constructed, my position remains that of a bridge-player who can only reshuffle the same old pack without getting a new one.

18.32 hrs.

HINDU SUCCESSION (AMENDMENT) BILL—*Contd.*

Mr. Chairman: Shri Pattabhi Raman may continue his reply.

Shri C. R. Pattabhi Raman: The Bill of my esteemed friend Shri Tiwari seeks to prevent widow from making gifts or *mala fide* sales in favour of her son after ignoring the step-son in the case of two wives. It has been explained in detail and the Bill seeks only to have a provision to sub-section (1) of section 14 of the Hindu succession Act, 1956 to which reference has been made I do not want to tire the House by reading the section. The House is aware how the Hindu women property rights were acquired and how it was decided that 'before and after the commencement' of the Act she should have these rights, as a full owner and not as a limited owner. Many Members referred to the discriminatory aspect of the old Hindu law. All that has been referred to. The explanation there is rather important. It includes both the movable and immovable property and goes on with various other categories. Before the enactment she did not possess absolute property rights in all cases. Reference has been made to *Stridhanam* and all the other things and what was called the limited estate which was a peculiar practice, which was typical of the Hindu law as it was before the amendment. It was not as if we were caught napping when section 14 of the Act was passed by the Parliament.

Section 14 of the said Act was the subject of elaborate discussion in Parliament. It was not as if there was any slip. As originally drafted it was intended to apply to properties acquired by a female Hindu after the commencement of the Act, but Parliament decided that the provision should also apply to properties acquired by a female Hindu before the commencement of the Act and which were in her possession at the commencement of the Act subject to sub-section (2) of section 14 of the Act. As the widow is now the absolute owner of the property, she can lawfully dispose of any such property in any manner she likes even to the detriment of the interest of her step-sons and step-daughters, such a result was not totally un-intended, it was done with open eyes. As I said, it is not as if we were caught napping or there was some slip. Cases in which such rights may have been affected by reason of the retrospective operation given to section 14 of the Act have not been many and would further decline with the passage of time. We have the prevention of Bigamy Act and all this and with the passage of time, these cases will be few and far between.

As regards the suggested amendment to declare void such transfers of property acquired after the commencement of the Act by the widow which are not for consideration and *bona fide* and which prejudice the claims of step-sons and step-daughters, the amendment, if accepted, may give rise to some difficulties. I shall finish in a few minutes. Sir. Firstly, it would

[Shri C. R. Pattabhi Raman]

be retrospective in effect to the extent that it would declare as void all transfers made by a widow without consideration and not *bona fide* since the commencement of the Act. It would thus unsettle the transactions legally entered prior to the enactment of the present Bill. Still more it would open the flood gates for litigation by step-sons and step-daughters against the transfers made by the step-mother especially when there will be no love lost between them. Every transaction is likely to be branded as *mala fide* as culminate in litigation.

Secondly, the problem pointed out might arise not only in the case of a widow *vis-a-vis* step-daughters and step-sons but in other cases also, such as an issueless daughter *vis-a-vis* her reversioners, *vide* sub-section (2) of section 15 of the Act where the properties are left in the hands of any other female as full owner.

Thirdly, the purpose of the section has been to do away with the concept of the Hindu women's limited estate as such, and if the Bill is accepted it is likely to create such estates in a modified form by the back-door. Really, the result of this Bill, once it becomes law, will be this: that is to say, you will really be bringing in a limited estate by the back-door.

Fourthly, the amendment suggested by the hon. Member seems to be slightly beyond the scope of the Hindu Succession Act. The Act was passed in order to amend and codify the law relating to intestate succession among Hindus and not restrict *inter vivos* transfers, as they say.

Finally, in case property has been inherited by the Hindu widow after the commencement of the Act, her step-sons and step-daughters would also get a share in the property of her husband under section 8 read with section 9 of the Act, because all these persons would come in class I of the Schedule.

Therefore, I am unable to accept this Bill, and I would make the usual request, in spite of what Shri D. C. Sharma has told Shri Tiwary, namely that he must not withdraw the Bill. I would request him to withdraw the Bill because of the implications.

श्री द्वा० ना० तिवारी : सभापति महोदय, समाज में जब कोई ऐसी बात होती है, जिस से समाज में कुछ विशृंखलता पैदा हो या कोई बहुत अन्याय होता हो, तब कानून बनता है या उस में संशोधन लाया जाता है। बहुत पुराने जमाने से हिन्दू धर्म के कानून के अनुसार मिताक्षरा या दयाभाग के अनुसार सक्सेशन होता था, लेकिन जब यह देखा गया कि उस से चन्द लोगों का नुकसान हो रहा है, औरतों को नुकसान हो रहा है, उन को कोई हक नहीं मिलता है, तो सक्सेशन के सम्बन्ध में एक नया कानून तैयार किया गया। पहले यह स्थिति नहीं थी कि पति के मर जाने के बाद सब औरतें बे-घरबार के हो जाती थीं लेकिन अपने घर में रहते हुए भी उन को कोई अधिकार प्राप्त नहीं था। इस लिए वह कानून लाया गया। इसी प्रकार हिन्दू मैरिज एक्ट या स्पैशल मेरिज-एक्ट का परिणाम यह नहीं हुआ है कि सब लोग दूसरी जाति में विवाह कर रहे हैं। चूंकि कुछ ऐसे इन्स्टेंसिज पाए गए थे, जिन में कुछ डिफ़ीकल्टी होती थी, इस लिए कानून में हेर फेर किया गया। अगर कोई कानून बनने के बाद समाज में कोई ऐसी बात होती है कि उस से समाज में कोई अन्याय होता हो, तो उस कानून में संशोधन किया जाता है।

इस बात से कोई इन्कार नहीं है कि सम्पत्ति के सम्बन्ध में विडो को एब्सोल्यूट राइट हो। लेकिन उस राइट को इस तरह से व्यवहार में न लाया जाना चाहिए, जिस से दूसरों को हानि हो। जब मिताक्षरा सिस्टम कायम था, तब अगर कोई पिता नाजायज तरीके से या व्यभिचार के कारण कर्ज ले लेता था, तो वह

कर्जा नाजायज हो जाता था, जो प्रापर्टी नाजायज तरीके से बिक जाती थी, वह पुराने वंश में आ जाती थी और उस प्रापर्टी का खरीदना नाजायज हो जाता था। ऐसे ही मैं चाहता हूं उत्तराधिकार के सम्बन्ध में भी।

हम ने विडो को प्रापर्टी में राइट दे कर ठीक किया। मैं यह नहीं चाहता हूं कि वह राइट कर्टेल हो। मैं चाहता हूं कि विडो के भरण-पोषण, दवा दारू और धर्माचार आदि की आवश्यकता की पूर्ति के सम्बन्ध में कोई कमी या असुविधा न हो। लेकिन इस के साथ यह भी आवश्यक है कि विडो के स्टेप-सन या स्टेप-डाटर के साथ समानता और इक्वेलिटी का व्यवहार किया जाये। इस लिए मैं चाहता हूं कि विडो को यह हक़ नहीं होना चाहिए कि वह अपनी जायदाद को बेच कर अपने शरीर से पैदा हुए लड़के को तो पूरा दे और अपने स्टेप-सन का हक मार दे। मैं नहीं समझता कि इस में कौनसी नाजायज बात है।

श्री बड़े ने कहा कि इस संशोधन के बाद विडो अपनी प्रापर्टी को गिफ्ट भी नहीं कर सकती है। वह गिफ्ट तो कर सकती है, लेकिन अपने स्टेप-सन को डिप्राइव करने के लिए नहीं। अगर वह अपनी सारी प्रापर्टी को गिफ्ट कर दे, तो और बात है, लेकिन सम्पत्ति को जो शेयर उस के स्टेप-सन को मिलता है, उस को तो वह गिफ्ट कर दे और जो शेयर उस के अपने लड़के को मिलना है, उस को गिफ्ट न करे, इस डिस्क्रिमिनेशन को खतम करने के लिए यह बिल लाया गया गया है।

मुझे मालूम नहीं कि मंत्री जी क्यों अपनी जिद पर अड़े हुए हैं और म बिल को एक्सेप्ट नहीं कर रहे हैं। वह इस बिल के सिद्धांत को मान लें और बाद में स्वयं कोई बिल लायें। अगर इस बिल के वर्डिंग्ग में कोई डिफेक्ट है, तो वह उस को दुरुस्त कर दें। उदाहरण के लिए यह 1965 का बिल है, लेकिन अगर यह पास हुआ, तो 1965 के बजाये 1966 जुड़ जायेगा। अगर वह इस बिल को फ्रेज़आलजी और वर्डिंग्ग में कोई संशोधन करना चाहते हैं, तो मुझे कोई आपत्ति नहीं है। लेकिन इस अन्याय को तो बन्द करें कि एक ही पिता से लेकिन दो माताओं से दो लड़के पैदा होते हैं, एक लड़के को पूरी जायदाद मिल जाती है, अपनी मां के हिस्सा भी मिल जाता है और दूसरा वंचित रहता है, इस बात को न होने दिया जाय। यह मैं चाहता हूं। अगरचे कोई इस में अन्याय होता या विडो के राइट का कर्टेलमेंट होता तो मैं कभी संशोधन नहीं लाता। राइट ऐब्सोल्यूट कहीं नहीं होते, डेमोक्रेसी में फ्रीडम आफ़ स्पीच है लेकिन इस को भी कर्टेल किया जाता है, इसलिए कि देश के दूसरे समाज पर इस का हानिकारक प्रभाव न पड़े या कोई देश में गड़बड़ पैदा न हो। कोई राइट्स कहीं ऐब्सोल्यूट दुनिया में होते नहीं। वह सर्कमस्टांसेज से गाइड होते हैं, परिस्थितियां से गाइड होते हैं। जब लड़ाई छिड़ जाती है तो अखबारों पर रोक लगाई जाती है, लोगों के बोलने पर रोक लगायी जाती है। यहां भी ऐसा अन्याय हो रहा है। ऐसे केसेज एक नहीं हैं, बहुत से केसेज हैं जो स्टेप सन को जायदाद से महरूम किया गया है। दूसरी बात यह है कि इस कानून को पास हुए अभी तो केवल दस वर्ष हुए हैं। इतनी अधिक प्रापर्टी अभी ट्रांसफर नहीं हुई होगी कि बहुत सा अनसेटिल करना पड़ेगा। अगर दो चार इधर उधर हुई होंगी तो उन को करने में क्या हर्ज है ? आप ने जब विडो का राइट्स दिया तो वह भी पहले से ही जो विडो हो गई हों, उनको भी दिये। तो वहां भी लोग कह सकते थे कि उन को क्यों किया गया ? तो यहतो कानून का मंशा होता है कि उसको दुरुस्त किया जाय और आगे भी अन्याय न होने पाये इसलिए कानून

बनना है। तो मैं विधि मंत्री से अपील करूंगा कि इस का विरोध न करें। इस को मान लें या हम को आश्वासन दे दें कि दूसरा बिल लायेंगे। इस बात को मद्देनजर रखते हुए मैं इस को विदड्रा कर लूंगा।

Shri C. R. Pattabhi Raman: I have already explained the implications of this. Certainly what has fallen from a senior member like him will be kept in mind.

Shri D. N. Tiwary: Is he bringing any Bill to remedy this defect? Then I will withdraw.

Shri C. R. Pattabhi Raman: It is not so easy. Once you restrict it like this, the result will be the woman in India will be different from the man so far as property is concerned. I never take a technical stand. I have already explained the implications. As I said, what has fallen from him will be kept in mind.

श्री द्वा० ना० तिवारी : जब उन्होंने यह कहा कि इस को ध्यान में रखेंगे और इस गड़बड़ को दूर करने की कोशिश करेंगे तो मैं इस को विदड्रा कर लेता हूं।

Mr. Chairman: The Bill is withdrawn.

The Bill was, by leave, withdrawn.

18.45 hrs.

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

(Insertion of new section 6A) by Shri Prakash Vir Shastri.

श्री प्रकाशवीर शास्त्री (बिजनौर) : सभापति जी, मैं प्रस्ताव करता हूं कि मेरे रेप्रेजेन्टेशन आफ दि पीपुल्स बिल के ऊपर विचार किया जाय। इस विधेयक के प्रस्तुत करने का जो मेरा उद्देश्य है आप अनुमति दें तो मैं अभी कहूं या फिर आगे कहूंगा ?

सभापति महोदय : आप दो चार मिनट बोलिए।

श्री प्रकाशवीर शास्त्री : यह विधेयक मैं 11 मार्च 1964 को प्रस्तुत किया था और अब आज है दिसम्बर की दूसरी तारीख। यानी इसको प्रस्तुत किये हुए भी दो वर्ष आठ महीने से अधिक हो गए। और उस समय जो बिल को प्रस्तुत करने का उद्देश्य था वह यह था कि ऐसे व्यक्ति चुनाव में खड़े होने से बंचित किये जायें कि जो 6 महीने पहले किसी विधान सभा या लोक-सभा में मिनिस्टर हों। दूसरा अर्थ यह है कि 6 महीने पहले जो मंत्रिमंडल हैं प्रान्तों के या केन्द्र के वह अपने स्थान से हट जायें और उन के बजाय राष्ट्रपति शासन हो ताकि देश में निष्पक्ष चुनावों की प्रणाली जारी हो सके। क्योंकि अब हमारे देश में चुनाव होने जा रहे हैं, इसलिए ऐसे समय में इस विधेयक का आना इस दृष्टि से भी और महत्वपूर्ण है ताकि चुनाव की पवित्रता और चुनाव की जो निष्पक्षता है उस को बनाये रखने के ऊपर सरकार विचार करे सके। अभी तक आप को पता है कि हमारे देश में कई स्थानों से इस प्रकार की शिकायतें आयी हैं

सभापति महोदय : अब प्राप्त जिस दिन इस का नम्बर होगा उस वक्त बोलेंगे।

18.47 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Saturday, December 3, 1966/Agrahayana 12, 1888 (Saka).

GMGIPND—LS II—2346 (ai) LSD—9-1-67—970.